

# Create Change

## Organizations and Transactions Clinic Targets Business Law

Students Will Learn Wide Range of Legal, Business Skills While Serving Local Nonprofits, Small Enterprises

Innovation and change continue to be an integral part of the landscape as Stanford Law School advances toward its goals of redefining legal education and incorporating public service into every student's experience.

To that end, SLS students will gain another tool that will help them become better advocates and lawyers: the option to enroll in the new Organizations and Transactions Clinic.

Under the guidance of Jay A. Mitchell (BA '80), who has been appointed as lecturer in law and director, the new clinic will launch in the spring and provide students opportunities to engage in public interest lawyering through business and transactional work with nonprofits and small enterprises.

Students will create new entities, draft and negotiate contracts and collaborations, assist with funding and financing projects, advise

on governance, compliance and commercial matters, and provide general corporate support to the clinic's clients. The goal is to enable students to develop core analytical, editorial, planning, and counseling skills in the context of live projects, with an eye to the various ways in which lawyers experienced in business work can contribute to the community.

### DIRECTOR BRINGS LEGAL AND BUSINESS EXPERTISE

Mitchell joined the law school from Levi Strauss & Co., the \$4.2 billion marketer of Levi's® and Dockers® clothing, where he was the chief corporate counsel and a senior executive since 1992. His work at Levi's focused on capital structure, corporate governance, financial disclosure and a wide range of commercial matters in the U.S. and Europe. Prior to joining Levi's, Mitchell was a partner at Heller Ehrman



PHOTO: JUDITH ROMERO

Jay A. Mitchell appointed director of the newest clinic, the Organizations and Transactions Clinic

White & McAuliffe in San Francisco. It is this blend of legal and business experience—Mitchell calls it “selling jeans”—that will guide him as he builds the new clinic from the ground up.

“The Bay Area has a remarkable concentration of nonprofit, business, philanthropic, and academic resources,” said Mitchell. “Our challenge is to find a way to draw upon these resources and run a clinic that helps clients, builds professional skills in our students, and demonstrates how business lawyers can contribute to the work of all kinds of organizations, including nonprofits. This is a terrific opportunity and I'm grateful to be here.” *(Continued on page 5)*

## Executive Director's Note

Our job at the Levin Center is to help our students and alumni to effectively translate public service principles into practice and to pursue their own conception of justice. We began this academic year with our First Annual Public Service Awareness Week, a series of events designed to educate the class of 2010 about the growing public interest community at Stanford. A standing-room-only crowd of students attended the keynote address by internationally recognized lawyer Barbara Olshansky, '85 Leah Kaplan Visiting Professor in Human Rights, who spoke movingly about her career as human rights lawyer.

The week also included a pro bono training on interviewing skills with Levin Center Directors Lisa Douglass and Jennifer Fan and one on cultural competency by Lecturer in Law, Danielle Jones. Following these trainings, over 120 first-year students affirmed their intent to meet our suggested guideline of 50 hours of pro bono service by graduation.

Upcoming initiatives include a weekly alumni mentor-in-residence program featuring mid-level public interest alumni who will return to campus to meet with students and talk about their work in a variety of fields; a series of alumni receptions which will begin in DC on October 6; and our first Public Interest Fellows' Retreat, as the recently restructured program boasts a record 31 third-year students who will begin their postgraduate careers in public interest law.

In addition, the Pro Bono Program has expanded to include our first in-house Social Security Disability Project as well as a new Language Bank that recruits student volunteers to provide translation assistance to pro bono programs and Bay Area public interest organizations. Now, there are 15 different pro bono projects covering a wide variety of legal areas including animal rights, disability rights, elder law, domestic violence, LGBT rights, among others.

We look forward to working with all of you to inspire, educate and support you in gaining service and career opportunities which will enable you to contribute to the service ethic of our profession. We want to work with each of you to find ways in which you can gain hands-on legal experience that resonate for you.

Susan J. Feathers

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## News Briefs

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### **Alumni Mentors-in-Residence Program Highlights Mid-Career Attorneys**

The Levin Center launched a new program featuring mid-career alumni who counsel students and present a substantive lecture on a current issue in their practice area.

*Aug. 31* - Michele Magar '95, Partner, Magar & Milstein

*Sept. 28* - Corene Kendrick '03, Staff Attorney, Youth Law Center

*Oct. 12* - Sherri Wolson '97 (BA '93), Partner, Social Venture Partners (Seattle)

*Oct. 19* - Dan McConkie '04, Deputy District Attorney, Contra Costa County

*Oct. 26* - Francesca Gessner '05, Deputy City Attorney, San Francisco City Attorney's office

*Nov. 2* - Matthew Sanders '02, Former Appellate Attorney, U.S. Dept. of Justice, Environment & Natural Resources Division

*Nov. 9* - Mónica Ramírez '04, Staff Attorney, ACLU Immigrants' Rights Project

*Nov. 16* - Michael Risher '96, Staff Attorney, ACLU of Northern California

### **Public Interest Town Hall Meeting for Students Is Set for Sept. 25**

Students are invited to join the Levin Center, the 31 Public Interest Fellows, and the two elected student representatives to the Public Interest Faculty Committee at a Town Hall meeting on Tuesday, Sept. 25 at 12:45.

### **Save the date! Feb. 2007 Symposium Will Focus on Education as Civil Right**

With the *Stanford Journal of Civil Rights and Civil Liberties*, the Levin Center is hosting a symposium on education on Feb. 2, 2007.

The symposium will create a forum for legal scholars, education scholars, and practitioners to share ground-breaking work and perspectives on a number of urgent education-related civil rights issues. With No Child Left Behind coming up for review in 2007, California's successful *Williams* lawsuit facing implementation challenges, and the Supreme Court issuing a decision on the constitutionality of voluntary integration efforts, educational rights are currently at the forefront of the civil rights and civil liberties landscape.

Details about registration and the symposium schedule will be made available on our website shortly.

Michele Magar '95 brings a broad range of experiences to her role as the first speaker in the Levin Center's new Alumni Mentor-in-Residence program. As a civil rights attorney based in San Francisco, she has represented clients in a wide range of cases dealing with issues including disability rights, healthcare, housing and predatory lending. However, Magar has more to offer than legal advice. With a background in union organizing and civil rights reporting, she promotes a multifaceted approach to law that promises to make the next generation of public interest lawyers even more powerful advocates for change.

#### REPORTING BACKGROUND ENHANCES ADVOCACY

Magar's approach to public interest law is informed by her background as a civil rights reporter. Recognizing that spreading information was one means of generating significant social change, Magar began a career as a radio reporter focusing on civil rights work. She says, "I went into journalism because I had a belief, which I still have, that most people in this country and around the world, when given unbiased and objective information, will opt to do the right thing."

Magar began her career as a volunteer with Pacifica Radio. She spent her first day on the job covering a die-in protest at the Nuclear Regulatory Commission. Paired with another reporter and armed only with a tape recorder, Magar snuck into the area where arrested demonstrators were being held and recorded interviews. As a reporter, she was allowed to leave with her tape recorder in hand. This eye-opening experience was enough to get her hooked on journalism.

"Having a microphone in hand gave me access I had never had as a political activist. With no training, nothing, just because I had a microphone in my hand, I could now march into any



Michele Magar '95

## Alumni Spotlight

# Social Justice Advocate Transforms Through Law, Media

office that I wanted on Capitol Hill and demand basically that they talk into my microphone. If they didn't, I got to report that evening on the news that they refused to." She adds, "Until that day, I had been one of hundreds of thousands of bodies in demonstrations... I realized I could have a much bigger impact as a journalist than I could as a demonstrator."

Magar's volunteer work for Pacifica soon earned her a full-time position at the National Public Radio (NPR) headquarters in Washington, D.C. She continued to report on civil rights, working to integrate disability rights issues into the mainstream news. The Americans with Disabilities Act did not yet exist, and Magar fought an uphill battle to get her stories on the air and

draw attention to pervasive problems in disability rights.

She says, "I had gone into the field muckraking, believing that lawyers would come in and bring lawsuits to fix the problems I reported." After more than a decade of raising public awareness and waiting for others to bring about changes in legislation, Magar decided to become a lawyer.

#### CREATING PUBLIC INTEREST COMMUNITY AT SLS

Magar enrolled in SLS with the explicit purpose of becoming a public interest lawyer. She quickly became involved in efforts to expand Stanford's support for public interest students. With fellow students, she worked to convince the administration to create a new position for a Public Interest Director. Her experience in political activism and reporting made her a natural leader. She says, "When you jump up and down and do a lot of demanding, people see you, whether or not it's true, as a leader. Because I had been so vocal, the Dean asked me to be on the hiring committee to hire the first Public Interest Director."

Magar was also among the students that helped to transform the Loan Repayment Assistance Program (LRAP) into what she calls "the most generous loan forgiveness program in the country." She particularly remembers the day when she and her fellow students addressed a group of alumni to request their support for LRAP. Miles Rubin '52 was in the audience and decided that day to endow the program. Magar credits LRAP's continued success to his generosity. "Without him," she says, "we could not have succeeded."

#### REVOLUTIONIZING POVERTY WORLDWIDE

After graduating from SLS, Magar continued to work on civil rights issues including housing discrimination, mortgage discrimination and disability rights. She worked *Continued on page 6*

PHOTO COURTESY OF MICHELE MAGAR '95

# Alum Recommends IADC Trial Academy

By Michael Risher '96

This summer I was awarded the Gary Walker Memorial Scholarship to participate in the 2007 International Association of Defense Counsel (“IADC”) Trial Academy, which is held every year at Stanford Law School. The scholarship is meant to allow public interest attorneys to take part in this valuable (and expensive) trial advocacy program, and I would recommend that anybody who is interested in trial work apply for it.

The week-long program’s format combines morning demonstrations and presentations by the faculty with afternoon small-group sessions where we gave opening and closing statements and practiced examining lay and expert witnesses.

The faculty presentations were informative and their demonstrations of trial techniques ranged from good to exceptional. But the most valuable part of this type of program is the opportunity to practice trial skills, and in this the IADC program truly stands out.

The lay witnesses at the academy are professional actors who take their roles extremely seriously and know them backwards and forwards. And the expert witnesses are professionals in their fields—the doctors really are physicians, and the economists are MBAs and accountants. This, combined with feedback from the faculty during the afternoon sessions and also while you watch recordings of yourself in action (it’s all recorded on DVD), is a fine way to start to learn trial work or to improve

or refresh your skills (even for those of us who have tried a number of cases).

Of course, this is not a program designed for public interest lawyers. The subject matter of the case problems (a traffic accident and a wrongful discharge) may not be particularly relevant to your practice. Also, the program is geared towards lawyers who defend big businesses against

civil suits. But the focus of the academy is on the skills that are universal to trial work—civil or criminal, plaintiff, prosecution, or defense. And as the percentage of cases that actually go to trial continues to sink, leaving civil litigators and even some criminal practitioners with little opportunity to get in front of a jury,

one of the best ways for most lawyers to learn these crucial skill is in a trial-advocacy course. And as those courses go, this one is first rate.

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*Michael Risher '96 is a staff attorney with the American Civil Liberties Union of Northern California. He tried cases as a Deputy Public Defender in Alameda County from 1998 to 2005. Risher will also be serving as an Alumni Mentor-in-Residence this Fall, counseling public interest students and presenting a substantive lecture to the campus community at large.*

*For more information about IADC and its annual Trial Academy, please visit <http://www.iadclaw.org/trialacademy.cfm>. Details about the Gary Walker Memorial Scholarship are also available on the site.*



PHOTO COURTESY OF MICHAEL RISHER '96

Michael Risher '96

## Clinical News Update

The Legal Clinic—which has been recently renamed the Mills Legal Clinic—welcomed several new faces this past month. The Mills Legal Clinic includes ten individual clinics representing a wide array of practice areas.

Jennifer Urban, Director of the Intellectual Property and Technology Law Clinic at the University of Southern California Law School, is a Visiting Professor at SLS and is directing the Cyberlaw Clinic this academic year.

Barbara Olshansky '85, the Leah Kaplan Visiting Professor in Human Rights, will teach the International Human Rights Clinic in the spring. Please see the Spring 2007 issue of *Create Change* for details about Olshansky.

Jay Mitchell is the new director of the Organizations and Transactions Clinic and is featured on the cover of this issue.

Jessica Steinberg '04 is the new Jay A. Spears Clinical Teaching Fellow at the Stanford Community Law Clinic. She was previously an Equal Justice Works fellow at the Legal Aid Society of San Mateo County.

Galit Lipa is a teaching fellow in the Criminal Defense Clinic. Prior to coming to SLS, Galit Lipa was a deputy public defender in Contra Costa County and a Prettyman Fellow at Georgetown Law School.

Leah Russin, formerly a litigation associate at Quinn Emanuel Urquhart Oliver & Hedges LLP, begins a fellowship in the Environmental Law Clinic at SLS this year.

Brenda Shum, most recently with the ABA Center on Children and the Law, is a clinical fellow with the Youth and Education Law Project.

Jennifer Lee is the Cooley Godward Kronish Fellow in the Immigrants’ Rights Clinic, and was previously with WilmerHale and Sanctuary for Families’ Center for Battered Women’s Legal Services.

# Mitchell Relies on Extensive Experience to Create New Transactional Clinic

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## **"MULTIDIMENSIONAL LAWYERS BEST AT BUSINESS"**

Mitchell believes that the best corporate lawyers are practical problem solvers, discussion partners, project leaders, and communicators as well as technical experts. And he believes that business practice starts with understanding and respecting the client.

"Organizational leaders are under intense pressure," he said. "They deal constantly with multiple constituencies—clients, customers, employees, funders, directors, collaborators, donors, investors, auditors, suppliers, patrons, volunteers, regulators, NGOs, reporters—and they bear responsibility for the success or failure of the organization. The more we understand their world, their priorities and constraints, the true flow of value and obligation in a transaction or initiative, how things affect each other or show up in the numbers or the newspaper, the better the advice we can give."

"At the same time as we look at this big picture," Mitchell continues, "we can add enormous practical value by excelling on the little picture, on our work on the ground. That means thorough research, methodical planning and organization, crisp writing, consistent responsiveness, and craftsmanship. All of these things build confidence, make life easier for the client, and enable a project to get done on time with less heartburn for everybody."

"The same skills are needed for both: an analytical and disciplined approach, a good dose of common sense, and an ability to communicate clearly and concisely. It also requires empathy, for the CEO right on down to the most junior person on the team. If we can do all that, then we will have been truly helpful to our client, and we will have had a great professional experience."

## **PRINCIPLES DERIVED FROM REAL-WORLD EXPERIENCE**

Mitchell relates a story from his own career where he found himself doing more than just providing technical legal advice.

In 2003, Levi's faced significant challenges on a variety of fronts, including a serious business and financial downturn, high-profile litigation, management changes, and the retention of a turnaround firm. There was acute pressure on the company and on its employees. Mitchell helped steer the company through critical bank and bond financings, an accounting restatement, and the start-up with a new CFO.

He observed that "a lot of that work didn't have much to do with statutes and regulations. But the ability to see multiple dimensions of a business problem, stay close to people across the organization, and generally help keep things moving forward, draws directly upon skills developed in legal education and practice. That and other experiences really validate my view that the law school has it exactly right in focusing on interdisciplinary work and problem solving."

## **NEW CLINIC TARGETS UNSERVED DEMOGRAPHIC**

Mitchell expects the clinic to draw students who are interested in careers in corporate law, business and finance—a subset of students not currently being targeted by the other litigation-focused clinics. He also hopes to have students who plan careers in litigation or public policy and who want experiences in organizational work, as well as students who are interested in the social sector generally.

"I think this course could be useful for students contemplating all sorts of careers. Every organization—from a global corporation to a neighborhood nonprofit—needs to finance and

govern itself, needs to interact with others. Experiences with real-world capital-raising, board functioning, or commercial contracting strike me as directly relevant to work at all sorts of organizations. And, with the rise of social entrepreneurship, venture philanthropy, and corporate social responsibility, there is an increasing convergence between the private sector and the social sector."

## **SKILLS TRANSCEND BOUNDARIES OF PRIVATE SECTOR**

Moreover, Mitchell believes the skills gained as a corporate lawyer are directly applicable to service in the public sector and community.

"You bring all of those qualities to the table when doing pro bono work or serving as a director or volunteer, or if you move on to a career as an executive director or program officer in a nonprofit or foundation. Legal education and experience is a perfect base; the abilities to work across disciplines, think X steps ahead, and boil things down are enormously helpful in any kind of executive or governance capacity."

Mitchell concludes, "Life at Levi's has been a great ride. It was a genuine privilege to be associated with an American institution, the inventor of blue jeans and a company that for decades has been a leader in corporate citizenship. Now I have a wonderful opportunity to draw on that experience in a new role, one that requires me to translate the private practice and business experiences into new environments, one focused on education and public service, and one that allows me to join not only the extraordinary community at SLS but also work with truly inspiring people out in the world. I'm absolutely thrilled and looking forward to getting underway this fall."

# Alumna Urges Advocacy on Multiple Fronts

*Continued from page 3*  
with Protection and Advocacy, Inc., a federally funded organization that provides free legal services to clients with disabilities, and Bay Area Legal Aid before establishing her own practice in 2001. Additionally, she has several years of experience as a consultant for California Rural Legal Assistance and continues to co-counsel with Bay Area Legal Aid.

Magar points to her recent work on the United Nations' Convention on the Rights of Persons with Disabilities as a highlight of her legal career. The Convention, which the UN opened for ratification in March this year, has the potential to improve the rights of persons with disabilities throughout the world.

"Far and away, most of the world has zero disability rights laws," Magar explains. "In many developing countries, people with disabilities are literally barred from holding property, from marrying, from holding a job—all the rights that we have and take for granted here."

For the past four years, Magar and her colleagues gathered at the UN twice a year to work on the treaty. As a group, they were allowed to testify on the floor and propose a model for the final language that would be used. She attributes their success to their ability

to unite behind a common cause. "We always spoke with one voice," she says. "That made us effective."

The final wording of the Convention provides for fundamental human rights such as the right to life, right to liberty, equal access to education, and the opportunities to vote and participate in public life. Magar emphasizes its potential to eradicate poverty. She says, "People with disabilities in every single

country are the poorest of the poor. The exciting thing about this treaty is that for the first time in history there is a legal vehicle to change that situation."

## ADVICE FOR THE NEXT GENERATION

Magar advises the next generation of public interest lawyers to "know more than how to file a lawsuit." She says, "It's really important for today's public interest lawyers to have more than one way of effecting social change."

In addition to the skills gained in law school, she advises lawyers to engage in legislative advocacy, press advocacy, and most importantly, press creation.

Standing behind her belief that unbiased information can change social and political climates, Magar encourages lawyers to learn how to publicize their views and the perspectives of their clients in creative and effective ways. "Lawsuits must be one component of a strategy today," she says. "Lawyers [also] need to know how to create their own

**"It's really important for today's public interest lawyers to have more than one way of effecting social change. Lawyers need to know how to create their own documentaries, to create their own press."**

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## About *Create Change*

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*Create Change* is designed and produced by the staff of the John and Terry Levin Center for Public Service and Public Interest Law. Unless specifically noted, all articles are written by staff:

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*Create Change* is published quarterly via email and past issues are available on our Web site. Articles, letters, and photos are welcome. Please send them to:

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documentaries, to create their own press."

She points to the internet as an important tool for advocacy: "People in developing countries are going to be on broadband way before they own a radio or a television. We can simply use the internet today and reach more people via podcasts than will ever have a TV or radio."

Magar believes that a multifaceted approach to legal work also provides an important source of balance. "Not only is it more effective," she says, "but quite honestly it's much more fun."

*SLS students and alumni can contact Michele Magar at [magar@sbglobal.net](mailto:magar@sbglobal.net).*