

Create Change

Alumna Scores Major Victory for Foster Care Youth

In 2008, Placer High School's football team in Auburn, California secured a spot in the division playoffs for the first time in eight years. Yet their dreams were dashed when the California Interscholastic Federation (CIF), which governs interscholastic sports in the state, forced the team to forfeit their wins and lose their berth in the playoffs.

CIF contended that Dalton Dyer, a 16-year-old foster youth who transferred high schools due to a change in his foster care placement, should have completed certain transfer student paperwork—paperwork that would not have been required of a student not in foster care.

Lawyers from the National Center for Youth Law (NCYL) rushed to the rescue and enabled the underdog team to play and win a playoff game against the defending division champions. With that win, the team then advanced to the division championships for the first time since 1981, when the current coach's grandfather coached the team.

It sounds just like a Disney movie, yet this was also a major victory for the rights of foster care youth in California. Bryn Leland Martyna, JD '05 and other NCYL



PHOTO COURTESY OF BRYN MARTYNA

Bryn Leland Martyna, JD '05; Dalton Dyer; and John O'Toole, director of the National Center for Youth Law (NCYL), celebrated after Dyer's team won their playoff game.

lawyers, including Jesse Hahnel, JD '08, worked on an unusually tight timeline to ensure that Dyer and other foster youth would not be restricted from participating in high school athletics. Unlike most of their legal cases, the NCYL team accepted and won the case in just one week's time.

Martyna and the NCYL team brought the case to Alameda County Superior Court where they successfully argued

that the CIF rules force foster youth to overcome barriers that would not exist if they were not in foster care, which violates California law requiring that foster children be provided with immediate and equal access to all programs available to other students.

Martyna says, "Working on this case was a truly uplifting experience. Dalton's willingness to stand up for the rights of all foster youth (*Continued on page 6*)

Associate Dean's Note

Be the change you wish to see in the world . . .
—Gandhi

Welcome back to what will be an exciting year of transition and transformation at the law school. I'm delighted to have returned as the school's first Associate Dean of Public Service and Public Interest Law, and I'm excited to announce that Anna Wang has been promoted to be Executive Director of the Levin Center. While I will be responsible for developing a vision for the continued expansion and growth of the Levin Center, day-to-day management will be in Anna's highly skilled hands.

The Levin Center will continue all of its important programs: Career Development, Externships, General Advising, Mentoring, Public Interest Fellows, Public Service Awards, as well as Scholarships and Funding. It will also be far more integrated into curriculum development, teaching, and supporting fundraising efforts to ensure expansion of our support for all of our students.

My return to the law school was based upon my faith in and inspiration from Dean Kramer. It was also prompted by my knowledge that there is nowhere else that I can accomplish my life's priority of helping to create the next generation of leaders for the public interest and governmental fields. The Levin Center provides an extraordinary vehicle for you but also for me to realize the goal of ensuring that law can and will be used to improve lives, help people, challenge discriminatory policies, better the world. Together, we can accomplish so much.

In the coming months, you will meet new Levin Center staff members. We are actively recruiting to expand our resources for those of you interested in international public interest opportunities as well as government jobs. We will also soon welcome a new director for our pro bono and externship programs.

At the heart of the work of the Levin Center is the commitment of each of its staff and me to help each of you attain your goals—to get to know you, to support you, to make your dreams ours. Each member of the Levin Center and I know that your worlds are not defined by the walls of this school. What we hope to create with you within these walls, however, is a place that allows you to explore, challenge, investigate and mold the ways in which your legal education can help you achieve your visions of a just world. Inside and outside of the classroom, allow yourself to be the same person—allow yourself to be the person who chose this law school, this profession, your commitments. This is not a club that requires you to conform. It is a place that I am committed to ensuring will only support you as you move toward your goals.

I look forward to coming to know you. Please stop by any time, and look for me as I prowl the halls to meet each one of you in the coming weeks.

Best,
Diane

News Briefs

Save the Date! Fall Public Interest Awards Will Honor Attorneys

Each year, the John and Terry Levin Center for Public Service and Public Interest Law honors two public interest attorneys for outstanding service. This year Debo Adebile, the Litigation Director of the NAACP Legal Defense Fund, will receive the National Public Service Award. Corene Kendrick, JD '03, a staff attorney at the Youth Law Center, will receive the Miles L. Rubin Public Interest Award.

This gala event will be held on Monday evening, November 2, 2009 at the Paul Brest Hall in the Munger Graduate Residence. Admission for faculty, students, and alumni to the formal sit-down dinner is complimentary. Tickets are available for other guests for a fee. All guests must RSVP to reserve seating. More details will be available in October.

Record 1L Participation in Pro Bono

One hundred forty of the first-year students registered for the Pro Bono Program and requested pro bono placements for the Fall quarter. This is a significant increase from past years and clearly represents how pro bono service has become a part of the culture at Stanford.

Registration numbers are compelling as they also indicate students' intention to meet the suggested guideline of 50 hours of pro bono service by graduation. Moreover, all 140 students received one-on-one counseling appointments with Levin Center staff to confirm their pro bono placements this quarter and ensure students' questions about pro bono are answered.

Mills Legal Clinic Offers New Opportunities in Cyberlaw and International Human Rights

Editor's Note: The following is a summary of email announcements sent by Professor Larry Marshall, Associate Dean for Clinical Education.

SLS LAUNCHES NEW INTERNATIONAL HUMAN RIGHTS AND DEVELOPMENT CLINICAL PROGRAM

In conjunction with the University of Cape Town Law School, South Africa, Stanford Law students will go to Cape Town South Africa to participate in an international human rights and development clinical program. This pilot clinical program will allow four Stanford students to work in South Africa each quarter of the 2009-2010 school year.

The program will begin with an intensive course at SLS prior to departure. The purpose of the intensive course is to prepare students with relevant substantive and theoretical background such as the history of apartheid in South Africa and the impact of race on our work, defining human rights and cultural relativism, international women's rights, human rights and development, customary law and the role of traditional courts in South Africa and refugee law in the African context. In preparation for the in-country projects, the intensive course will also include training on interviewing skills, working with interpreters, interacting with survivors of trauma, and researching South African, regional and international law.

The in-country portion of the program will last the duration of the quarter, approximately 11-12 weeks. Once at the University of Cape Town, students will be placed on one of following two projects.

The Refugee Rights Project will give students the opportunity to work with the refugee populations that are arriving in South Africa at increasing rates, providing unique insight into international refugee law in the African context. Students will

interview potential clients, review case files, develop legal strategy and work with the Department of Home Affairs to advance the cases.

The second project is the Rural Women's Project, which examines the South African Customary Law Act using a gender lens in order to address the unique issues that affect women under that law. Students will assist in gathering information and preparing reports on statutes, case law, customary law, gender issues and traditional courts in order to assist the Rural Women's Project's to build a body of knowledge that will stand up in court as evidence of how living customary law affects women. In the course of their work, students are likely to participate in fieldwork within traditional communities in order to meet the tribes and better understand the context of their research.

While in South Africa, students will continue to develop their understanding of many of the issues addressed in the intensive course described above. They will do this both through their work with faculty at the University of Capetown and weekly long-distance seminars with Kathleen Kelly, the SLS instructor. Kelly previously served as a clinical teaching fellow and helped to launch the Stanford Law School International Human Rights Clinic in Namibia.

NEW OPTIONS IN INTELLECTUAL PROPERTY RIGHTS, FREE SPEECH, PRIVACY AND CONSUMER RIGHTS

While we are not offering our full-time in-house Cyberlaw clinic this year, we have developed two excellent experiential programs that will provide wonderful opportunities for students interested in these subjects. One of these programs is with the Law School's Fair Use Project. The other is with the Electronic Frontier Foundation. Both of these programs will

require 20 hours of work per week and will afford seven credits. Together, these two programs will provide opportunities for 11 students this year.

The Stanford Center for Internet and Society's "Fair Use Project" ("FUP") was founded in 2006 to provide legal support to a range of projects designed to clarify, and extend, the boundaries of "fair use" in order to enhance creative freedom. The FUP represents filmmakers, musicians, artists, writers, scholars and other content creators in a range of disputes that raise important questions concerning fair use and the limits of intellectual property rights.

The FUP also provides an array of assistance to content creators. It has advised prominent creators and distributors of documentary films concerning fair use, defamation, trademark infringement, and other issues relating to the appropriate bounds of free expression.

Students working with the FUP will work on all facets of the FUP's docket, including litigation and counseling. In addition to their work on FUP matters, students will meet weekly with Tony Falzone in a seminar-style session.

The Electronic Frontier Foundation is a prominent NGO which confronts cutting edge issues defending free speech, privacy, innovation, and consumer rights. Since it was founded in 1990, it has distinguished itself as one of the leading advocates in the field—through both litigation and policy work. For more information, see <http://www EFF.org/>

Students in the EFF project will work for 20 hours per week (mostly in EFF's San Francisco office), for which they will receive 7 credits. In addition to their work on EFF matters, students will participate in seminar-style meetings with EFF attorneys. ■

Students Apply Legal Skills to Serve Public

Students ventured all across the country and around the globe this summer to pursue legal internships where they could apply their legal skills to serve the public. Read about the breadth of work accomplished with the generous support of \$5,000 grants from Stanford Law School.

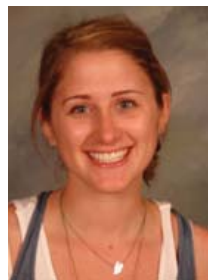


Stephen Dekovich, JD '11

I spent the first eight weeks of my summer at the Mental Health Advocacy Project (MHAP) in San Jose. MHAP provides free legal and advocacy services to individuals in Santa Clara County who self-identify as having a mental health disability.

I worked in the Patients' Rights Unit, where advocates are designated by statute to represent all individuals in Santa Clara County who are being involuntarily committed to locked psychiatric hospitals.

The hearings are adversarial—the patient is on one side and the psychiatrist or social worker is on the other—and they take place on the locked psychiatric wards. After observing MHAP's advocates represent clients at many of these hearings (and asking lots of questions), I was able to do several of them myself. The experience was inspiring and energizing, and it really brought alive for me MHAP's fundamental purpose: to fight for the expressed interests of the client. The mission is to empower the clients to make their own choices and to live their own lives as they see fit. To accomplish that in this context, you not only have to put together a legal argument about how and why the client does not fit the statutory criteria for involuntary commitment, but you also have to confront the stigma, fear, and paternalism that inevitably come up anytime you're talking about mental illness. ■



Joelle Emerson, JD '11

This was an exciting summer to be in D.C., and an even more exciting time to be working on health reform. As a part of the health and reproductive rights team at the National Women's Law Center (NWLC), I spent the summer analyzing versions of the

new healthcare plan. I watched Senate markup, dissected drafts of House and Senate bills, and read countless amendments. As news about the new healthcare plan was being discussed around the country, I was in Washington analyzing how the plan would affect the health and reproductive rights of women. It was really incredible to work on a such an exciting and important piece of legislation while at the same time learning how to do legislative research and analysis. My internship with the NWLC definitely solidified my commitment to public interest work. ■



Philip Miller, JD '11

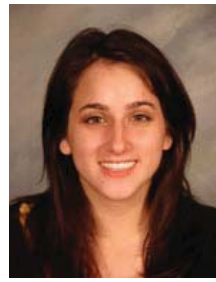
The summer of 2009 was an eventful time to work at the Securities and Exchange Commission. The government's financial regulatory structure was being reorganized,

enforcement proceedings and investigations were being ramped up in the wake of financial scandals, and there was scrutiny from Congress and the press. I worked in the litigation group of the SEC's general counsel's office. The general counsel's office prepares all of the Commission's appellate and amicus briefs, litigates all non-enforcement matters on behalf of the agency, and provides legal advice and counseling concerning the federal securities laws. The lawyers I encountered were smart and engaged, and I worked on a number of interesting, and occasionally high-profile, projects. Stanford's summer public interest funding made it feasible for me to work for the SEC, where I could see first hand what life is like for government attorneys, and envision a career there for myself. ■



Anna Scholin, JD '11

This summer, I worked for SLS's Social Security Disability Pro Bono Project. I've really enjoyed juggling cases and feel like I've learned a lot about the demands of real practice. I also feel very fortunate to have been able to represent clients at three hearings, which is very demanding and nerve-wracking, but also more than a little fun it turns out. All in all, this has been a very rewarding experience so far, I feel like I'm doing something that makes a difference in the lives of some very needy people, and I look forward to working more with the project this upcoming year as one of its case management chairs. ■



Ashley Steinberg, JD '11

This summer, I worked in the Appeals section of the Office of the Prosecutor at the International Criminal Tribunal for Yugoslavia, in the Hague. I researched genocide, terror, and crimes against humanity, and formulated arguments for oral hearings and appellate briefs. Working closely with attorneys from all over the world, as they analyzed, strategized and debated how best to prosecute war criminals, I was continuously amazed by their intellect and conviction. I was grateful for the exposure to a multinational perspective on the law, and my hope is that I'll be able to translate what I've learned into my eventual legal practice back home. ■



Carolyn Slauson, JD '11

I worked for three months at the Kurdish Human Rights Project (KHRP), a non-profit organization based in London. KHRP aims to protect the human rights of Kurdish people living in the Kurdish region and beyond. In addition to the trainings that it provides to local human rights defenders in the Kurdish regions and its work on informing various international bodies of human rights concerns, a main strategy of the organization is to protect human rights through litigation to the European Court of Human Rights (ECtHR). During my internship, I researched and drafted a letter to the UN Working Group on Arbitrary Detention, contributed to a Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) shadow report, and provided research support on current cases being filed with the ECtHR. ■



Advocate Recognized for Foster Care Reform

Continued from page 1

was inspirational, and working with my amazing colleagues at NCYL to enforce his rights was incredibly rewarding.”

After graduating from Stanford Law School in 2005, Martyna was selected as a Skadden Fellow with NCYL and focused on child welfare and foster care. She remained there after the fellowship ended in 2007 and continues to work on foster care reform, including a major suit that seeks to enforce the rights of children in foster care in Clark County (where Las Vegas is located), Nevada. She has been a part of the *Clark K. v. Willden* lawsuit since the very start.

She says, “I’ve been involved with developing the complaint and working on the entire process of filing a lawsuit, going through discovery, and dealing with class certification issues. We’re on the road to making big changes there.”

Class certification involves assembling evidence gathered through discovery and developing the legal arguments for why the court should allow the case to proceed as a class action on behalf of the thousands of children in foster care in Clark County. Disappointingly, the district court judge denied the motion last summer. However, Martyna and her colleagues quickly completed a Petition for Review to the Ninth Circuit, hoping to get the district court’s opinion reversed, and the Ninth Circuit agreed to hear their appeal. Oral argument was held in the beginning of September, and they are awaiting a written decision.

She adds, “It has been really amazing to be part of the whole process and also to understand that [impact litigation] takes a while but if you stick with it and see it through, there’s a lot ahead. While I can’t say that we’ve accomplished everything we’ve wanted to accomplish with that [Nevada] suit just yet, it’s been really meaningful to be a part of it and it’s ongoing.”

Martyna is also able to integrate some direct client work into her schedule. Through Legal Services for Children’s pro bono panel, she has been able to take on expulsion cases in the East Bay from time to time, and she also serves as an educational surrogate for a young man in foster care in the East Bay. She has been working with him for almost three years, and finds it provides needed balance to her impact litigation work. “I truly appreciate having the opportunity to spend time with him; we love to read books together, and he reminds me why it is so important to continue to work to improve all of the systems that affect children’s lives.”

In addition to the gratitude of the clients she has served, Martyna has been honored by children’s rights advocates. It isn’t very often that an attorney only one year out of law school is recognized for her work. Martyna, her colleague Bill Grimm at NCYL, and their co-counsel were awarded the 2006 Voices for Children Award by the Children’s Alliance, a statewide children’s advocacy organization in Washington State, for their successful efforts to reform the foster care system in Washington state in *Braam v. Washington*. The case led to a legally binding blueprint for improving the safety and stability of foster children, providing mental health screening and treatment, and supporting foster parents with training and other services.

Recognition for Martyna’s efforts was an unexpected but pleasant surprise. “I feel incredibly fortunate to be able to do public interest work, and to work at a place like NCYL where people have dedicated their careers to fighting for the rights of children. I went to law school in order to do public interest work, and many amazing mentors and classmates at Stanford helped me pursue that dream. This work is not always easy, but to me that makes it all the more important.” ■

About *Create Change*

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:

Associate Dean: Diane T. Chin
Executive Director: Anna Wang
Program Coordinator: Nancy Patton
Program Assistant: Chad Meirose (BA ’11)

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Create Change
c/o Levin Center
Stanford Law School
559 Nathan Abbott Way
Stanford, CA 94305-8610

<http://publicinterestlaw.stanford.edu>
