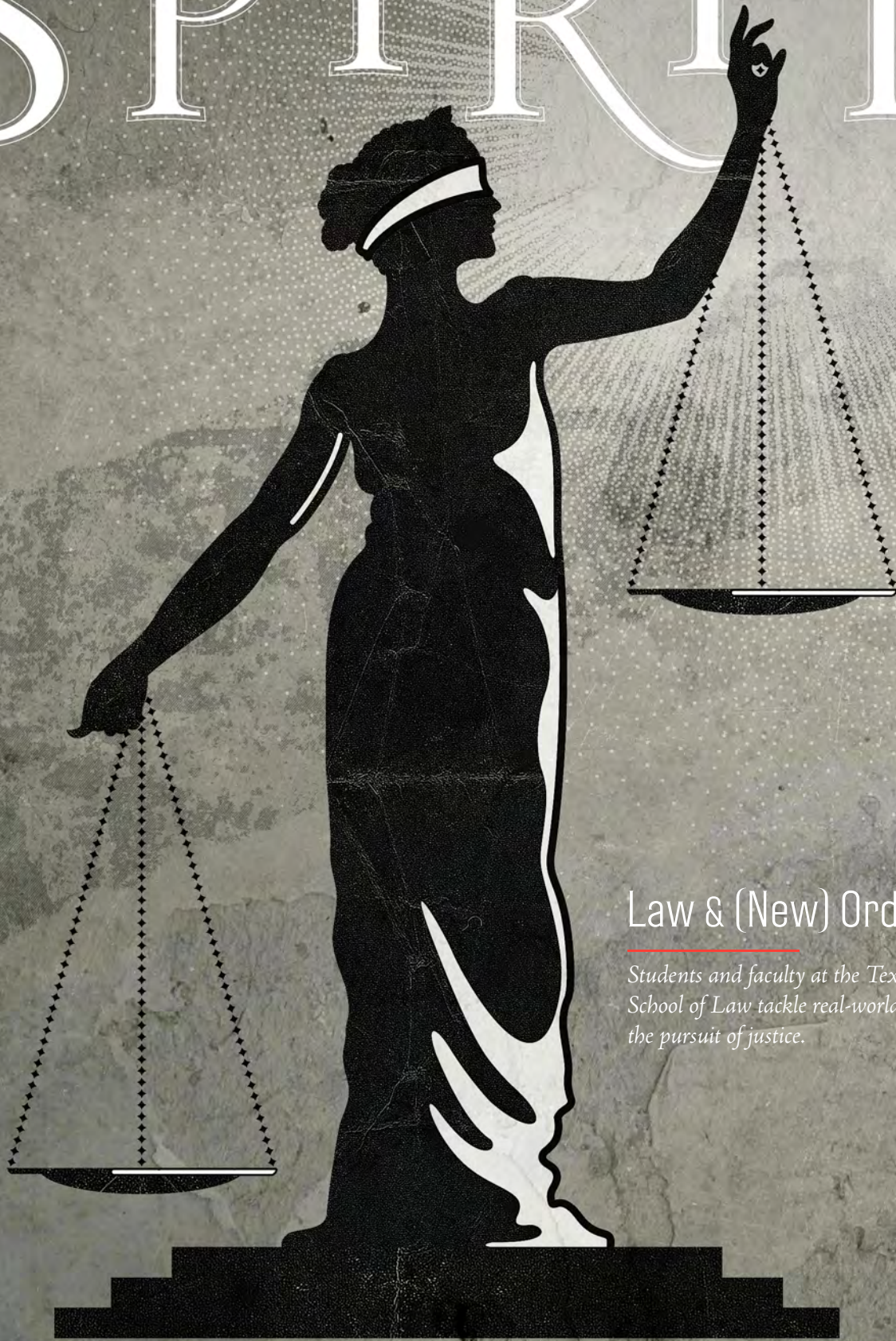


THE TEXAS A&M FOUNDATION MAGAZINE | SUMMER 2020

SPIRIT



Law & (New) Order

Students and faculty at the Texas A&M School of Law tackle real-world cases in the pursuit of justice.

A collage background featuring a woman's face with glasses, torn paper, and a large 'LAW' text.

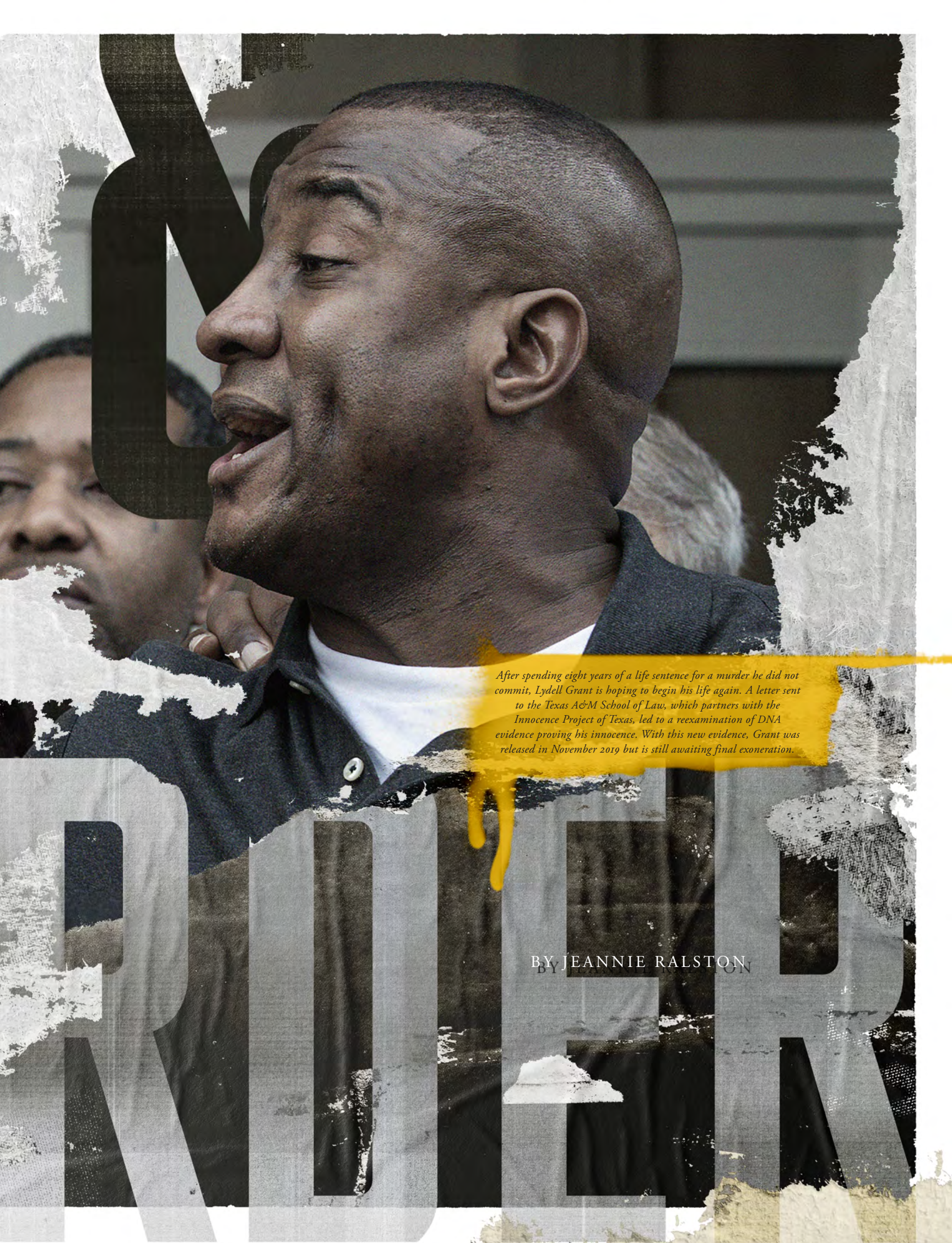
LAW

(NEW)

STUDENTS AND FACULTY

AT THE TEXAS A&M
SCHOOL OF LAW

TACKLE REAL-WORLD CASES
IN THE PURSUIT OF JUSTICE.



After spending eight years of a life sentence for a murder he did not commit, Lydell Grant is hoping to begin his life again. A letter sent to the Texas A&M School of Law, which partners with the Innocence Project of Texas, led to a reexamination of DNA evidence proving his innocence. With this new evidence, Grant was released in November 2019 but is still awaiting final exoneration.

BY JEANNIE RALSTON

“HEY AMBER, ARE YOU EXCITED?”

Luz Herrera, associate dean for experiential education at the Texas A&M School of Law, shouted to her colleague from her office. Amber Baylor stuck her head in and said, beaming, “We’re all shaking.”

“This is big,” Herrera agreed, erupting into a matching smile. “This is big.”

The law school’s clinic offices are on the lower level of downtown Fort Worth’s Star-Telegram Building, a half-mile from the school’s campus. With no windows, it can sometimes feel separated from the outside world. But nothing could be further from reality. The clinics, staff and students are making an impact at the highest levels in the U.S.

What excited Herrera and Baylor, director of the school’s Criminal Defense Clinic, on a mid-February morning was the announcement that a clemency case undertaken by Texas A&M law students had been approved by President Trump. It was one of 11 granted out of more than 6,000 pending applications. The woman, Crystal Muñoz, had spent 12 years incarcerated on marijuana charges and would now be free. The case and Texas A&M’s School of Law were appearing in media across the country.

“The Muñoz case and others like it show how our law school and students are having an impact at the highest level,” said Robert B. Ahdieh, the law school’s dean and holder of the Anthony G. Buzbee Endowed Dean’s Chair. “From Fort Worth to Washington, D.C., our school is making visible contributions to the advancement of justice.”

AGGIE LAW ON THE RISE

Soon after Texas A&M acquired the Texas Wesleyan School of Law in 2013, Chancellor John Sharp ’72 predicted it would rise in the national rankings “faster than has ever been done in this country.” It turns out Sharp was prescient. In the latest assessment by U.S. News & World Report, the



WAYS TO JOIN THE LEGAL TEAM

1) LITIGATION & CLIENT SERVICES FUND (ANY AMOUNT)

This fund supports basic litigation and service costs for clients of the school's legal clinics. A home study for an adoption, for example, costs \$300 to \$400—funds that many clients do not have. Contribute at give.am/Litigation-ClientServicesFund.

2) PART-TIME COMMUNITY LIAISONS (\$25,000 ANNUALLY PER LIAISON)

These part-time community liaisons could make presentations to community organizations, thereby raising awareness and bringing in additional clients to the school's clinics—work that currently takes faculty away from interacting with students.

law school ranked 60th overall, a 23-point jump from the previous year—the largest among the top 100 schools. The school also ranks in the top 10 for its Intellectual Property, Technology & Innovation, and Dispute Resolution programs. With its rising national profile, applications are up by more than 25%, even as applications are down an average of 3% across the nation. Currently, 661 students are enrolled.

Many elements have contributed to the law school's growing visibility and success. Certainly, the Texas A&M name carries great weight. Ahdieh also emphasized the core values of the university as identical to those of a good lawyer: respect, excellence, loyalty, leadership, integrity and selfless service. "Graduates of the law school are smart; they know the law and have the skills of a good lawyer," said Ahdieh. "They also have the right values and the necessary foundational knowledge for effective lawyering. And there's no better way for us to teach them those skills than through our legal clinics."

The law school has 10 clinics, which allow students to develop and apply their skills on behalf of actual clients who cannot afford legal representation. "We operate as a law firm, but in the context of a classroom," Herrera said. The students interview clients, decide the best legal course, file documents and sometimes appear in court. Through it all, said Herrera, "professors are supervising attorneys, there to answer questions and catch them before they fall."

The clinics provide students with hands-on experience in a variety of practice areas, from tenant-landlord disputes and IRS matters to divorces and wills. "Clinics are essential to the curriculum if you want to be a top law school," said Herrera. "Students want relevance in their education. In addition to learning substantive law in a variety of areas and developing essential skills, they're picking up an understanding of law practice management through the clinics. That's more of a business skill and not something traditionally taught in law schools." Law practice management includes crucial experience in areas such as confidentiality, client communication, client engagement and navigating

the relationship. "You can wait to learn that on the job," continued Herrera, "or you can learn it in a clinic and be a step ahead when you graduate."

THE CLINICAL EDGE

When Texas A&M acquired the Texas Wesleyan School of Law, there was one clinic, now called the Family and Veterans Advocacy Clinic. Nine more clinics have been added in the past seven years, as the law school has strengthened its commitment to experiential learning even beyond newly expanded requirements of the American Bar Association. Students are required to have six units of practical legal experience, either through externships or clinics. Approximately 55% of Aggie law students obtain their hours in the clinics, and all the clinics consequently have waiting lists for participation.

Jeff Slattery, director of the Patent Clinic and the Trademark & Copyright Clinic, explained why the clinics are so popular. "With an internship, you hope to be in the room with a client, and if you are, you'll be there taking notes," he said. "In the clinics, the students are in the driver's seat, talking to the clients and managing their cases, and I'm the one in the corner taking notes." Slattery noted that as far as learning the law, nothing beats sitting across from a client—except maybe standing in front of a judge, which students in litigation-focused clinics often experience as well.

Only students who have completed 45 credit hours of their degree and are deemed qualified law students by the Texas Supreme Court can litigate a case in the courtroom. "We supervise everything and review every document, but they take the lead," said Celestina Flores, director of the Family and Veterans Advocacy Clinic. She requires students to create a trial notebook before entering a courtroom to help master the case. "If the judge throws them a curveball or they get a surprise from a client, we're there." Courtroom experience is highly valued by potential employers, and students have the best chance of gaining that in Flores' clinic and the Criminal Defense Clinic.

As a woman of color growing up in poverty, Celestina Flores, director of the Family and Veterans Advocacy Clinic, learned very early that life can be harsh and unjust. She has pursued a career in law to make permanent improvements in the lives of the oppressed.

3)

FACULTY CHAIRS (\$1-2 MILLION)

Given a lack of faculty chairs and professorships compared to peer institutions, additional endowed positions are a must, particularly in emerging areas such as intellectual property, technology and innovation; energy and the environment; arbitration, mediation and negotiation; health law and policy; cybersecurity and privacy; and immigration.

4)

CLINIC NAMING (\$3 MILLION)

The work of each of the school's clinics would be visibly enhanced and advanced with endowed support memorialized in the naming of the clinic.



Top: Children in the Dallas-Fort Worth area receive new pajamas thanks to Pajama Rama, a nonprofit that worked with students in the law school's Trademark & Copyright Clinic. Center: Mike Ware, executive director of the Innocence Project of Texas, directs the school's Innocence Clinic, which reviews wrongful convictions. Bottom: The Family and Veterans Advocacy Clinic provides legal assistance to low-income individuals facing family law or veterans issues.

5)

CENTERS OF EXCELLENCE NAMING (\$5 MILLION)

The profile of the law school's centers of excellence—the Center for Law & Intellectual Property; the Aggie Dispute Resolution program; the Energy, Environmental & Natural Resource Systems Law program; and its emerging program in Health Law, Policy & Management—could be enhanced with the establishment of naming endowments for each.

6)

NEW BUILDING NAMING (\$25 MILLION)

Over the long-term, Dean Ahdieh hopes to bring the clinics and the law school under the same roof in a new facility. “I hope we can create a platform not just for the School of Law, but for the entire university to engage North Texas and bring its incredible programs to the area,” he said.

Students who want to participate in a clinic must take a course on professional responsibility—the study of the ethical and professional standards of lawyering. Students typically spend at least 11 hours per week working for their clients (or 132 hours, over the 12-week semester), and another three hours per week in classroom instruction. But many students end up working far longer. The average in Slattery's two clinics is 150 to 160 hours per semester. “They're giving it their all, because they know their clients are depending on them,” Slattery said.

At the end of each semester, students draft a status report on their open cases so another student can pick it up the next semester. But some students return for another semester to see a case through to the end.

Such was the case for Jason Tiplitz '19, who participated in the Criminal Defense Clinic during the fall 2018 semester. While working on other cases, he and his classmates assembled a clemency petition for Crystal Muñoz. “We tracked down transcripts from her trial and appeal and gathered letters of support from her family and members of her community,” said Tiplitz, who served as the point of contact with Muñoz and her family. “My frequent discussions with Ms. Muñoz created an intimacy that I wasn't prepared for,” he added. “It is one thing to understand injustice on a macro-level; it's another to have regular conversations with the victim of that injustice.”

Tiplitz returned to the clinic for another semester, putting the finishing touches on the petition. “I also tried to generate a media campaign to raise awareness of her situation,” he said. When he learned that her clemency was granted, he was overjoyed. “It is easy to be jaded by the girth of the broken justice machine in front of you, but you take apart a broken machine piece by piece and gear by gear,” said Tiplitz, who now works as a public defender in Colorado Springs, Colorado. “Now, a good person who I came to care about is back with her husband and two daughters, where she belongs. I got to help do something really amazing, and that's something I am truly proud of.”

REAL LIVES. REAL JUSTICE

STORIES FROM THE SCHOOL OF LAW'S CLINICS

THE FAMILY AND VETERANS ADVOCACY CLINIC: HELPING THE IMPOVERISHED

When Linda approached the Family and Veterans Advocacy Clinic in 2016, she was the only mother her nine-year-old grand-nephew had ever known. She had been caring for him since he was a newborn, because his mother was a drug addict with an extensive criminal history. Now, Linda wanted to legally adopt him.

Angela Green '18 was the law student who made that happen for her in the summer of 2017. “It was rewarding on many levels,” said Green, who now works at a Dallas-area law firm. “I utilized every part of the law that I learned and saw why certain things are in pleadings, why certain things aren't and how it all works together. At the same time, after building rapport with her, it was so wonderful to help her with her dream—something she might not have achieved without our assistance.”

Every semester, the three supervising attorneys in the Family and Veterans Advocacy Clinic help each and every participating student feel that same sense of connection and accomplishment. The students represent low-income clients in handling divorces, child custody matters, protective orders, simple wills and an array of legal issues related to veterans, such as finding housing for homeless veterans.

One client, a disabled Gulf War veteran, was so moved by the work of students in the clinic that he donated \$200 to help other clients. “You are training elite attorneys,” he wrote in his thank you note.

“Our students are not only learning and practicing law, but they're also learning empathy and the importance of helping people in poverty,” said Celestina Flores, director of the clinic.

THE TRADEMARK & COPYRIGHT CLINIC:

SUPPORTING ENTREPRENEURS

Since she founded her organization Pajama Rama in 2013, Lori Feil has given out thousands of brand-new pajamas to hospitalized and disadvantaged children in the Dallas-Fort Worth area. “Our goal is to provide a comfortable night’s sleep and bring a hopeful tomorrow,” Feil explained. In 2018, Pajama Rama became a 501(c)(3) nonprofit, and Feil desired to take it to the next level by registering the trademark rights in the organization’s name and copyrighting its logo. “Since Pajama Rama is a new nonprofit, we had a limited budget,” she said. “We had to be very cost-efficient during the process.”

That’s how she ended up at the Trademark & Copyright Clinic, working with four students over two semesters under the supervision of Clinic Director Jeff Slattery. Over five meetings, students discussed the process and her options. “I saw this as an excellent teaching moment not only for the students but also for myself,” Feil said.

Trademark & Copyright is one of the most popular clinics, with a long waiting list of students who want to participate. This area of law is in-demand because it falls under intellectual property—one of the law school’s signature areas of strength—and is relevant to technology, music, fashion, film and book publishing. During the spring 2020 semester, 12 students participated in the clinic. There’s also a waiting list for clients to have their cases accepted. “Most of our clients are social entrepreneurs,” explained Slattery.

Each student is assigned two trademark applications per semester and one to two copyright matters, which often include contracts. Students prepare an agenda for each client meeting with Slattery’s help, and Slattery sits in on the client interviews. Afterward, professor and student analyze what went well and what didn’t. “One student said that each client interview was like an in-person midterm exam,” Slattery said. “And she had to have all the answers.”



Sometimes a medical problem turns out to be a legal issue in disguise. Maybe a landlord isn't taking care of an apartment and there are rodents, which are making residents sick. Or a child comes in with a concussion and there are underlying domestic violence and custody issues. That's the premise of a new project between the School of Law and Cook Children's Hospital in Fort Worth, which began with \$525,000 of initial funding from the hospital.

"As cases come in, students from the clinics will have an opportunity to work with the clients," explained Kimberly Stoner, staff attorney for the partnership. She, along with a paralegal, is based at the hospital. "For example, if we're working on an immigration case, a student from the Immigration Clinic may be pulled in to help. The partnership's access to multiple clinics will allow us to help more families and give more learning opportunities to students."

Doctors, nurses and hospital staff are often the first to notice domestic violence or child or elder care abuse, Luz Herrera noted. "Part of what medical-legal partnerships do is help train staff to think about the legal dimension of the problems they encounter," she added.

Herrera emphasized that having a legal presence to assist patients helps hospitals in two ways: It allows doctors and nurses to devote more time to medical issues, instead of spending valuable

time on legal entanglements, and it also allows hospitals to collect benefits that should be available to their patients. "Some people, and consequently the hospitals that treat them, aren't receiving benefits they're entitled to," Herrera said. "So, if there's a legal issue that needs to be worked through, a medical-legal partnership can be very helpful."



The School of Law's Innocence Clinic is led by Mike Ware, a Fort Worth criminal defense attorney and executive director of the Innocence Project of Texas. In this clinic, students gain valuable skills in fact investigation, empathy, appellate advocacy and research writing.

THE INNOCENCE CLINIC: CORRECTING INJUSTICE

In 2018, a letter addressed to the School of Law's Innocence Clinic began like this: "My name is Lydell Elliott Grant, a 35-year-old African-American male from Houston, Texas, currently incarcerated in the Harris County Jail, who is the victim of a miscarriage of justice." Grant went on to describe how he was wrongfully convicted of the murder of Aaron Scheerhoorn in 2010.

Students in the clinic began looking into the DNA evidence under the supervision of Mike Ware, the Innocence Clinic's director and executive director of the Innocence Project of Texas, which vets the cases that the students undertake. After Ware and the students took a fresh look at the original DNA report in the Grant case, they saw that there were samples of two different people underneath the victim's fingernails—one of the victim himself and one from an unknown man.

Traditionally, it has been difficult to interpret DNA when it is mixed together, but the Innocence Clinic found a company, Cybergentics, that used a trademarked "probabilistic genotyping" software to do what a human could not: determine that Grant's DNA did not match that of the unknown male profile found on the victim's body. With this

new evidence, Grant was released. What's more, the software found the actual perpetrator—who later confessed to police—through the FBI's DNA database. NBC News announced that Grant's case could prove to be the shining example of how the new DNA software could correct grave injustices.

The Innocence Clinic routinely works on cases such as Grant's—if not always with such satisfying results. But the effort itself is important. "Some of the students don't have any intention of doing this kind of work, while some of them want to be criminal defense lawyers or prosecutors," Ware said. "They want to see what mistakes prosecutors or the police can make in possibly convicting the wrong people, which is always fascinating."

The Innocence Clinic has no more than six to eight students per semester working under Ware's guidance. The assigned cases are generally at least four years old, after the inmate has exhausted his or her direct appeals. Students pore through trial transcripts, police reports, witness statements and other materials provided to them by the Innocence Project of Texas as part of their case review. If possible, students also make a prison visit to interview the inmate.

Ware adds depth to the students' experience by bringing them to courtrooms to witness ongoing criminal trials and by having guest speakers present to the class, from exonerated inmates to forensic science experts. "Students receive training in being vigilant about individual rights in the criminal justice system," said Luz Herrera. "And they realize that, sometimes, well-meaning people can make wrong decisions and that even following the process doesn't always ensure justice." ●

TO SUPPORT THE SCHOOL OF LAW, CONTACT:

MYKE HOLT
SENIOR DIRECTOR OF DEVELOPMENT
TEXAS A&M FOUNDATION
(800) 392-3310 OR (817) 212-4061
MHOLT@TXAMFOUNDATION.COM

finalreview

Another 12th Man Tradition

At the Texas A&M School of Law, each incoming class signs a 12th Man jersey, which is then hung in the school's hallways. The idea is to remind students of Texas A&M's core value of selfless service. The jersey is auctioned off during the class' final year, with the proceeds benefiting the Public Interest Law Fellowship, a student-run organization devoted to helping students engage in unpaid public interest legal work during the summer.

This year's successful bidder was Megan Pharis '99, who received her undergraduate degree in health education in 2000 and earned her Texas A&M law degree in December 2019. She now works at a medical malpractice defense firm in Dallas and plans to hang the jersey in her office.

Pharis loves what the jersey stands for. "As an Aggie undergrad, and the daughter, sister and cousin of many, many Aggies, there's probably not a tradition that I do not know

by heart," she said. "It's one of the things I love most about Texas A&M: You never feel like you are in it by yourself. I knew that as an undergrad 20 years ago, and I was reminded of it in law school. The Aggie Spirit is alive and well in Fort Worth, Texas!"

