



LWI LIVES

The Pro Bono Issue

Page I

Volume VI Issue II

December 2019

Profiles	Page
Alissa Gomez	2-3
Margaret Hannon	4-6
Stephanie Hartung	7-8
LWI Pro Bono	1, 8
LWI Lives Committee	9

Contributors to this edition:

Cindy Archer
Jody Marcucci
Brooke Ellinwood
McDonough
Joan Malmud Rocklin
Jennifer Rosa

Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has. — Margaret Mead

"Pro bono" is a Latin phrase meaning "for the public good."

According to the Legal Services Corporation's Justice Gap Report, "86% of the civil legal problems reported by low-income Americans received inadequate or no legal help." In fact, low-income Americans seek help for 1.7 million problems each year, but over half their needs will not be met. At the same time, there are over 1.3 million lawyers in the United States.

The ABA urges all lawyers to participate in pro bono or other public service work so that the profession provides "meaningful access to justice for all persons." Similarly, the American Association of Law Schools suggests that legal educators have a responsibility to help students "recognize the responsibility of lawyers to advance individual and social justice." There has never been a more urgent call to action than now, when basic human rights are being denied to individuals and much of our population has no access to justice.

The members featured in this issue are just a few of the many LWI members who actively seek to provide "liberty and justice for all." They serve as role models for their students and as an inspiration to many of us. As Albert Einstein said, and these members know, "Setting an example is not the main means of influencing another, it is the only means."

By Jennifer Rosa
Member, Pro Bono Committee



Alissa Gomez: Legal Aid Goes to Law School

By Cindy Archer



Margaret Hannon: Modeling Pro Bono for Students

By Brooke Ellinwood McDonough



Stephanie Hartung: In Defense of Others

By Jody Marcucci



Alissa Gomez

Alissa Gomez: Legal Aid Goes to Law School

By Cindy Archer

When LWI lives decided to highlight the pro bono efforts of legal writing faculty, I knew who I wanted to interview: Professor Alissa Gomez of the University of Houston School of Law.

Alissa Gomez has unlocked a secret to a dilemma I and others have pondered for a long time: how to do it all? How do you keep a foot in practice, serve the community, and be fully committed to teaching 1L law students basic legal analysis and communication skills?

Here's what I found out.

Cindy Archer: What I love about what you are doing is the integration. You are not teaching and doing pro bono work on the side. You incorporate pro bono work into your classroom and into your students' work. Tell us about that.

Alissa Gomez: In June 2017, the State Bar of Texas launched TexasLegalAnswers.org. It's a state-specific version of the ABA Free Legal Answers platform. The website allows members of the public who income-qualify to post civil legal questions to a secure site and have those questions answered by a licensed Texas attorney. I use the site to pull down client questions for my students to research and respond to in small groups. Students practice gleaning the issues from these often somewhat jumbled client stories,



Alissa speaks to students and to members of Houston Law Center's legal writing Advisory Council about her pro bono work.

looking for answers using legal research, and drafting a coherent response using plain language. Later, I use the student's analyses to formulate my own answer. I then post that answer under my bar number. It is a great way to give back while teaching students using real legal issues.

CA: Tell us a little bit about your professional journey. How did you get to this point?

AG: I was at the same firm—King & Spalding—for nine years. The year after I made partner, I left to join Houston Volunteer Lawyers (HVL), which is a branch of the Houston Bar Association and the largest pro bono legal aid organization in Texas. HVL has a full-time staff of 30, including 14 staff attorneys. I was the Executive Director for nearly six years, from 2011 until the end of 2017. In the fall of 2017, I began teaching at the University of Houston Law Center.

CA: Tell us about your experience with Houston Volunteer Lawyers. It's not only the largest nonprofit in Texas, it's one of the largest pro bono attorney organizations in the country.

AG: HVL is a truly wonderful organization. It brings together the best of the practicing profession with a passionate and dedicated full-time legal aid staff. Together, HVL and its pro bono volunteers help over 12,000 individuals each year with civil legal problems for which the clients cannot afford representation. It was an incredible experience all around.

CA: Have you always known you wanted to be an attorney?

AG: Not always, but my interest was piqued early on by my eighth-grade history teacher. She taught her class like a constitutional law class. We even had a mock trial in class. It was a really unique way to learn history. I later learned she was married to a district attorney.

CA: Many people think about following their dream. What gave you the motivation and courage to do so, especially after making partner?

AG: When I left the partnership at King & Spalding, it was essentially because I had met my husband the month that I made partner, and he was an inner-city school teacher. I was

(Continued on page 3)



LegalWriting
Institute

Alissa Gomez (continued from page 2)

inspired again to remember why I went to law school, and I happened to have lunch around that time with a mentor of mine. He mentioned that he was leading a search committee for the next Executive Director of HVL; I jumped at the chance. Being a commercial litigator was intellectually amazing; it was complicated and exciting and stretched my brain every single day. But it did not satisfy that core part of me that wanted to make the world a better place. To fight injustice and improve lives.

CA: Was a career in teaching always a part of the plan?

AG: No, I did not think it was an option for me. Because I had never been a judicial clerk, I thought I could not be a professor. When I was approached about the opportunity in legal writing at the University of Houston, it seemed like a really good fit. An academic career is the best of all worlds. It gives me the freedom to think intellectually about important problems and also help mold the next generation of lawyers.

I was so excited to take on the opportunity as a professor that I did double-duty for the first semester. My first semester as a legal writing professor, I was still Executive Director at HVL while they searched for my replacement. It was during the time of hurricane Harvey, and HVL was involved in significant disaster relief efforts.

CA: How did you transition to teaching?

AG: The transition to teaching was very welcomed. For me, it was like getting back to basics. Teaching legal writing is similar to my time at the law firm: mentoring, giving written feedback, presenting on my feet, and really working on—and polishing—the craft of lawyering. It feels like being home, with the added bonus of interacting with a wide variety of interesting, eager, and smart students and co-workers who are, hands-down, the most supportive I've ever encountered.

CA: How did you decide to incorporate the work with the TexasLegalAnswers.org website into your class for your 1L students?

AG: I wanted to devote one lecture to pro bono opportunities in the profession, and I realized that I could do that during the legal research part of the semester and kill two birds with one stone. It just seemed efficient and like an

extension of my job at HVL—which was to convince lawyers just how easy (and rewarding) it can be to do pro bono.

CA: Tell us. What else makes you, you?

AG: My family. Anyone who knows me knows that I talk incessantly about my two young boys, Eli (6) and Geoffrey (Geo) (almost 5). They are energetic, joyful, and absolutely wonderful little humans. I credit most of that to my husband's similar demeanor. They certainly take up all of my free time. And let's not forget the one who came before all of them: my yellow lab. I am a dog lover of pretty epic proportions. Also, as a native Houstonian, I have a lot of family in town, and my husband's family is in nearby San Antonio. Between the two of us, extended family is everything.



Alissa with her family.

CA: What would students say makes you stand out as a professor?

AG: I try to be very down to earth in the classroom. I'm petite in stature, but I try to garner respect with kindness and connection. I also think I'm pretty funny on my feet (although my husband would tell you that he's much funnier). Finally, my Houston practice experience and breadth of contacts in the profession bring students of all kinds to me with career-oriented questions. I really enjoy seeing where they land in the Houston legal community.

CA: Give me three adjectives that describe yourself.

AG: Extroverted, honest, a tad rebellious.

CA: Oh, tell me a little more about "a tad rebellious."

AG: I am guided by my inner voice, my inner sense of righting what is unjust, even the small things. I like to shake things up. I am constantly questioning what I don't understand and asking why. In teaching, I am hoping I inspire my students to do the same.

CA: Any advice for those who want to incorporate pro bono work into their classroom?

AG: Don't hesitate! Even if you haven't practiced law in a long time, it is easy to pre-select questions from your state's online legal answers platform, do some initial research yourself (to test the skills you are teaching), and then let the students take the lead. It is a very low-risk proposition, helps actual clients in need, and will impact students for years to come.

Margaret Hannon: Modeling Pro Bono for Students

By Brooke Ellinwood McDonough

Margaret Hannon has always been determined, standing up for herself and others in the face of injustice. Indeed, in fifth grade, a determined young Margaret told her teacher, "I'm going to send YOU to the principal's office," after being the only one of her classmates to be disciplined for using a pen cap as a whistle. The entire fifth grade class had been to a birthday party that weekend and received some very cool pens as party favors. The coolest part about the pens? The caps, of course, which the class enjoyed using as fun, albeit annoying-to-adult-ears, whistles. After the whole class had been engaged in an enthusiastic whistling concert, Margaret, the last to stop whistling, was ordered by her teacher to the principal's office. Feeling it was acutely unfair to be singled out like this, Margaret decided it was the teacher who needed to have a conversation with the principal.

Fortunately, after meeting with the understanding principal, who was able to validate the feelings of both Margaret and her teacher, the parties reached a peaceful resolution and life went back to normal in Margaret's Buffalo, N.Y. classroom.

When not advocating on behalf of whistle-blowers in elementary school, Margaret could be found with a book in hand. Her favorite school memory is of her third-grade teacher, who would allow Margaret to sit under her desk and read when she finished her work early. Margaret's other fond memories include spending around seven weeks every summer at camp, first as a camper and then as a counselor. Margaret loved the opportunity to ride horses, swim, and practice archery. Her love of camp continues in adulthood. This past summer, she and her husband, along with their two sons, aged 7 and 4, spent time at Camp Michigania, a summer camp for University of Michigan alumni, where her whole family experienced camp together. All four spent time horseback riding, making mugs, and practicing archery. They even tried their hands at rock polishing.

Margaret was raised by her mother after her parents divorced when she was three. Margaret's love and respect for her mom is apparent, and she gives her mom credit for a lot—including her love of animals. Throughout Margaret's youth, her mother fostered greyhounds; in turn, Margaret developed an enduring love of the breed. In 2009, Margaret and her husband adopted their first greyhound, named Maizie (for the dog's golden coloring and because maize is one of University of Michigan's colors). That year, she and her husband joke, can either be referred to as the "year we



Margaret Hannon

adopted the dog" or the "year we got married." Maizie joined an already full house with two cats named Pippen and Penny. A few years later, a second greyhound named Rocky joined the mix. Although the animals play well together, Rocky harbors a fear of his feline siblings, despite outweighing them by over 100 pounds.

Margaret graduated from Binghamton University, part of the SUNY system, with a double major. She majored, first, in Music and, second, in Philosophy, Politics, and Law. She went on to receive her J.D. from the University of Michigan. It was there that she met her future husband on the first day of orientation in her IL section. After graduation, Margaret moved to Chicago to work for Bell, Boyd, and Lloyd. While in private practice, Margaret practiced labor and employment law, which gave her a wide range of experience in employer counseling, drafting employment policies, litigation, and arbitration. Although Margaret was happy in private practice, she thought she might one day like to teach. That opportunity arrived a bit sooner than she'd thought when, three years into her practice, she was hired by Northwestern University to teach in its Legal Research and

(Continued on page 5)



Margaret Hannon (continued from page 4)

Writing program. Margaret credits Judith Rosenbaum, who had been a legal writing coach at Bell, Boyd, and Lloyd during Margaret's summer associateship, with helping her make the transition.

After teaching at Northwestern for five years, Margaret was hired by the University of Michigan. In fact, she was the first Legal Practice professor at Michigan to be hired on the clinical tenure track. She feels very fortunate to have had the ability to work with outstanding students at both institutions. Margaret was thrilled to return to teach at her alma mater and to move back to Ann Arbor, where she and her husband are closer to family.

Margaret has always found satisfaction in using her legal skills for good. Her passion for pro bono work began when she was a law firm associate. Although it can be difficult to balance pro bono and billable work, Margaret found it important to prioritize pro bono work because of the inherent value in that work and the great experience she gained from it. Also, Margaret's firm supported pro bono work by allowing credit toward billable hours requirements for a certain amount of pro bono work.

While at the firm, Margaret served as a guardian ad litem in probate court, an experience she found eye opening because it allowed her to witness unfairness in the systems that led families to probate court. Anecdotally, Margaret noted that most of the families involved in probate court were low income minority families who did not have access to resources that might have helped them avoid the probate court system. Margaret also handled a pro bono asylum case through the National Immigrant Justice Center. She found it shocking to learn how long it took for an asylum case to

work its way through the system. As of last year, the Chicago immigration court took an average of 1,000 days to resolve a case. While the average has not always been so high, it was consistent with Margaret's experience. Indeed, Margaret worked on her client's asylum case for about three years, and the case continued even after she left private practice.

When Margaret moved to Michigan, she knew she wanted to continue engaging in pro bono work not only for the good of her pro bono clients, but also to model pro bono engagement for her students. Margaret also finds that learning to master a new area of law—which is sometimes necessary in her pro bono cases—gives her renewed empathy for her students. At Michigan, Margaret works with the Michigan Immigrant Rights Center, which is an organization that the school's Legal Practice program partners with as part of a pilot program to introduce live-client work into the first-year law school curriculum. Margaret's students work in teams to help permanent residents complete their naturalization applications. Before her students started working on the project, Margaret represented a client so that she could better understand the work her students would be doing. As part of that work, she helped her client complete his naturalization application and accompanied him to his biometric appointment (to have photos and fingerprints taken). She regrets that she could not attend his naturalization interview or his citizenship ceremony but is delighted to report that the process had a positive outcome.

Margaret also had the opportunity to expand her pro bono

(Continued on page 6)



Margaret Hannon's students model t-shirts that proclaim the students to be "The Learned Hannons."



Margaret Hannon (continued from page 5)

work in a new direction when she took on a local Fourth Amendment case. In that case, she and Ted Becker, the director of the Legal Practice Program at the University of Michigan, worked as cooperating attorneys with the ACLU to draft an amicus brief in the Michigan Court of Appeals. Their brief supported two plaintiffs, aged 16 and 17, who sued the city of Grand Rapids because they were photographed and fingerprinted after being stopped without probable cause by the police. The trial court in that case held that there was no expectation of privacy in fingerprints, but on appeal, the Michigan Court of Appeals did not reach that issue and instead upheld the decision on municipal liability grounds, finding that the city of Grand Rapids could not be held liable because the print and picture policy was discretionary.

After this decision, Margaret and Ted originally intended to write another amicus brief, but instead took over direct representation of the clients on appeal to the Michigan Supreme Court. The Michigan Supreme Court reversed the decision of the Court of Appeals, holding that municipalities may be held liable for discretionary policies that allow unconstitutional conduct by their employees. The case is currently on remand to the Court of Appeals for a determination of the constitutionality of the Grand Rapids print and picture policy.

The case has now been active for years, and Margaret says she is grateful to have had the opportunity to work with

Ted, who is a role model and inspiration. She has found value in their ability to lean on each other and learn from one another's different writing styles, working styles, and strengths.

Margaret is also passionate about promoting student wellness. She believes it is important to give students a better mental health foundation, so they are healthier in practice. She is particularly focused on eliminating mental health questions on the character and fitness portion of the bar application. Margaret notes that the bar does not ask students with chronic illnesses to answer similar questions on the bar application; Margaret advocates for the bar to apply the same rationale to mental health in its fitness application. Indeed, Margaret notes, law professors are in a good position to advocate for such changes because they see firsthand that students refuse to seek mental health assistance because they are concerned about the character and fitness portion of their bar applications. In the meantime, Margaret works to help Michigan students find balance and happiness in law school.

Margaret has had a lot to celebrate this year. She recently received clinical tenure at Michigan. She also celebrated her tenth anniversary—of marriage and of adopting her first greyhound!

If you'd like to get in touch with Margaret, you can reach her at mchannon@umich.edu.



Margaret and her family



Stephanie Hartung

Stephanie Hartung: In Defense of Others

By Jody Marcucci

Meet Stephanie Hartung! She is a former Alameda County public defender with roots in Cape Cod wine country who devotes her time to the New England Innocence Project. It was a public defender's nightmare: A client who insisted he was innocent. He claimed he was misidentified as the perp. He was facing a sentence of more than 20 years under mandatory sentencing rules because of prior convictions. The prosecution offered a two-to-three year sentence under a plea agreement. He refused the deal and instead exercised his right to a jury trial. At trial, a skilled public defender named Stephanie Hartung strategically poked holes in the eyewitness's testimony and highlighted its inconsistencies. The jury acquitted him. But Stephanie, who now teaches Legal Skills in Social Context at Northeastern University School of Law, knows just how easily that case could have gone the other way—how easily an innocent person can be wrongfully convicted. That case was the “formative case” that proved to Stephanie that she had chosen the correct career path.

Stephanie knew from a young age that she wanted to be an attorney. But her interest in social-justice work was sparked during her time as a law student at Boston College, after she was paired with a mentor who served as a public defender. Stephanie spent both law school summers at the public defender's office and became hooked. After graduating and passing the California bar exam, Stephanie applied to the Office of the Alameda County Public Defender. Due to a hiring freeze, Stephanie was not offered a position right away. So she embarked on a different type of “freeze”—a judicial clerkship in Alaska. After spending a year in Fairbanks, a position in the Alameda County P.D.'s office opened up, and Stephanie found her new home in Oakland, California.

While working at the public defender's office, Stephanie not only represented indigent clients, she also supervised summer law clerks. When she and her family moved back to the East Coast, Stephanie's love of teaching and mentoring the next generation of lawyers helped her transition from life as a litigator to life as an academic. Once in Boston, Stephanie began her teaching career at Suffolk University Law School.

As much as Stephanie loved teaching, she missed litigation. So she began her work with the New England Innocence Project, where she now serves on its Board of Trustees. Stephanie supervised student volunteers as they reviewed cases to support claims of actual innocence. At Suffolk, she developed and taught a seminar premised on a partnership



Stephanie with four Massachusetts exonerees who, together, spent more than 80 years in prison for crimes they had not committed.

Stephanie Hartung (continued from page 7)

with the New England Innocence Project and supervised students in bringing post-conviction and habeas corpus cases. Stephanie and her students drafted an influential amicus brief, successfully assisting a wrongfully convicted man named Ronjon Cameron with being released from prison and exonerated.

Stephanie's commitment to the New England Innocence Project continued when she transitioned to her current position at Northeastern. As part of Northeastern's writing program, Stephanie's students gain expertise in the Innocence Project's work. They engage in a year-long project, which focuses on a broad policy issue, such as systemic bias, and culminates with an oral presentation for the community at large.

Incredibly, Stephanie still finds time for fun. She enjoys Boston, where she spends time visiting museums, running, and doing yoga. She has two children, an eighteen-year-old daughter named Payton and a sixteen-year-old son named Miles. As a "last hurrah" before sending Payton off to college this fall, Stephanie and her family took the "trip of a lifetime" to Machu Picchu in Peru. When she is not traveling the

world, she enjoys spending her summers at her family's winery and distillery on Cape Cod, which her brother and sister run.

Cheers to Stephanie and her commitment to social justice!

You can contact Stephanie at s.hartung@northeastern.edu.



Stephanie with her kids at Machu Picchu

LWI Lives & the LWI Pro Bono Committee

This issue of LWI Lives results from a joint effort between LWI's "Faces of LWI" Committee and its Pro Bono Committee.

The "Faces of LWI" Committee regularly publishes *LWI Lives*. This publication explores and communicates the emerging identity of LWI and its members. We have in common the commitment to being the best legal writing professors that we can be. But we are multi-dimensional people with different strengths, interests, curiosities, and gifts. By profiling individuals in our community, we hope to expand and develop our understanding of who we are and what we aspire to be. Members of the LWI Lives Committee are listed on the last page of this publication.

LWI's Pro Bono committee is charged with identifying and implementing ways to foster faculty engagement with social justice concerns, including collaboration with bar associations, reshaping legal writing curricula around social justice themes, and supporting faculty pro bono work. Its members include

Jacob Carpenter (co-chair), Marquette

Bernadette Gargano (co-chair), Buffalo

Candace Centeno, Villanova

Fran DeLaurentis, Georgetown

Jennifer Rosa, Michigan State

Rima Sirota, Georgetown

Allison Wang, Golden Gate

Heather Baum (ex-officio), Villanova

Kristin Hazelwood (ex-officio), Kentucky

UPCOMING LEGAL WRITING EVENTS

LWI One-Day Workshops

Various locations
December 6-13, 2019

Global Legal Skills Conference

Arizona State University
December 12-14, 2019

2020 AALS Annual Meeting

Washington, D.C.
January 2-5, 2020

Conference on Writing and Well-Being

University of Arizona
January 9-12, 2020

Rocky Mountain Legal Writing Conference

University of Arizona
March 13-14, 2020

Beyond the First Year

Northwestern Law
April 3-4, 2020

20th Biennial Conference, Rhetoric Society of America

May 21-24, 2020

Inst. for Law Teaching & Learning Effective Online and Hybrid Educ.

Univ. of Arkansas-Little Rock
June 11-13, 2020

2020 LWI Biennial Conference

Georgetown University
July 15-18, 2020

Check out these websites for more
information on what's happening!

<http://www.lwionline.org/>
<http://www.alwd.org/>
<http://www.aals.org/aals-events/>

Happy winter holidays!



Photo by Alex on Unsplash

LWI Lives Selection Process

The Committee is organized into three teams, and each team is responsible for selecting, proposing, and writing the three profiles in each issue. To ensure a diverse newsletter, teams propose individual names to the Co-Chairs, and the Co-Chairs review the suggestions to ensure a wide range of coverage over time.

If you have someone in mind who we should interview in a future newsletter, please feel free to email any of the committee members listed below. If you could include a note explaining why you think the individual's profile would be particularly interesting, it will help us in developing priorities.

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