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Juvenile Justice Clinic students at Inglewood Juvenile Courthouse

www.lls.edu/juvenilelaw

WHO we are

The Center for Juvenile Law and Policy at Loyola Law School was created to foster systemic reform of the Los Angeles juvenile justice system. It was founded on the principle that research, public education and advocacy are vital to accomplishing the following long-term objectives:

- 1 Improve the quality of juvenile delinquency representation;
- 2 Reduce minority over-representation in the juvenile justice system;
- 3 Decrease the rate at which children are prosecuted as adults; and
- 4 Re-direct the juvenile justice system to its original purpose of individualized, community-based rehabilitation.

To accomplish these goals, the Center:

- 1 Represents children in the delinquency system on a pro bono basis as trial and appellate counsel;
- 2 Promotes policy change through legislative advocacy and impact litigation to address shortcomings in the juvenile justice system;
- 3 Convenes periodic seminars and symposia on issues confronting children and stakeholders in the juvenile justice system;
- 4 Promotes scholarly research with the purpose of highlighting challenges and solutions within the juvenile justice system;
- 5 Collaborates with community, professional and non-governmental organizations, as well as governmental and academic institutions, to create a more effective and humane juvenile justice system.

by Director Cyn Yamashiro

With the beginning of a new academic year come a new class and new faces. This year we expanded the size of the class to 12 and selected two highly qualified 2nd year students to join ten 3rd year students. We are also proud to announce two new additions: Susan Harbert and Karen Tamis who you will meet in this newsletter. Susan is joining us as a special legislative counsel and Karen is an education attorney who was awarded a Skadden Arps Fellowship to work with the Disability Rights Legal Center here at Loyola. We also started an undergraduate internship program to introduce college students to juvenile justice issues and the work we do here.

Aside from our teaching responsibilities, the faculty here is busy working in the academic, legal and local community. In January 2006, experts from around the country were convened with the purpose of drafting guidelines and recommendations for juvenile delinquency practice. I led a group specifically charged with the task of formulating recommendations for criminal and civil legal service providers. Those recommendations were published in the spring 2006 edition of the *Nevada Law Journal*. Professor Shultz also recently spoke at a conference for legal clinicians on the topic of interdisciplinary clinics. The Center represented a family member of a prominent Los Angeles child advocate, and the burden of the legal representation fell exclusively on Professor Shultz. Charged with attempted murder, our client faced a sentence of forty years to life in adult court. Due to Professor

Shultz's tireless efforts and creative advocacy, our client's case will remain in the juvenile system rather than be transferred to the adult system.

We recently began a partnership with the Pepperdine University Psychological and Education Clinic and expanded our undergraduate internship program to students from UCLA, USC and Occidental.

I am excited to share that last December we received a one million dollar capacity-building grant. These funds will be used to expand our ability to do research and to continue to represent children in the delinquency system. In the next newsletter, I hope to introduce a new clinical supervisor, a new social worker and a new clinical fellowship program.

We have a busy year ahead and by the time the next newsletter goes to press, we will likely have doubled in size. In that issue, I hope to report on a number of successful fundraising events. I hope to bring good news.

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Michael Shultz, assistant director, earned his BA in political science and his JD at Loyola Law School. He then joined the Los Angeles County Public Defender's office, where he worked as a public defender IV, responsible for representing clients charged with capital murder. During his career, Shultz was a frequent lecturer for the Public Defender bar on discovery and police misconduct.

Susan Harbert, special legislative counsel for the Center, is an alumna of Loyola Law School and earned a BA in political science from the University of California, San Diego. Harbert has a wide range of experience in both national and local politics. She organized delegate caucuses in all California's 52 Congressional districts for President Clinton's campaign and was a board member of the Finance Committee for President Clinton's re-election. She has also sat on the board of the Los Angeles Free Clinic and the Hollywood Women's Political Committee.

Karen Tamis, Skadden Fellow, is a graduate of UCLA Law School and earned a BA in history at Cornell University. As a Skadden Fellow, Tamis is an attorney in the Education Advocacy Project of the Disability Rights Legal Center, working in collaboration with the Center for Juvenile Law & Policy at Loyola Law School. She represents youth with special education needs in the juvenile

delinquency system to ensure that they receive appropriate education and related services. Tamis clerked for the Honorable Justice Norman Epstein on the California Court of Appeal in Los Angeles. Prior to law school, Tamis started a literacy tutoring program in Bay Area public elementary schools.

Alison King, licensed clinical social worker, has a MSW from UCLA and a BA in art history from the University of California San Diego. She worked at UCLA's Neuropsychiatric Institute and previously helped develop an ADHD clinic at Didi Hirsch Community Mental Health Center. She is bilingual in Spanish, and has also served high-risk and pregnant youth, and seniors, during her career.

Roxanne Hill, program administrator and assistant to the director, manages the day-to-day operations of the Center. She has a MA in religion from the Episcopal Theological Seminary of the Southwest and a BA in sociology from Loyola Marymount University. Hill worked as an HIV/AIDS chaplain at San Francisco General Hospital, and later as family services coordinator at a pediatric HIV/AIDS organization. She also worked in Loyola Law School's Human Resources department for seven years prior to joining the staff at the Center.



Students observing courtroom proceedings during orientation

CJLP staff

Cyn Yamashiro, director, is an alumnus of Loyola Law School and UCLA, where he earned his BA in economics. He previously served as deputy public defender III with the Los Angeles County Public Defender's Office. Earlier in his legal career, Yamashiro worked with the San Diego County Public Defender's Office and Minami, Lew & Tamaki. While in law school, he clerked for the International Labor Rights and Education Fund in Guatemala City and the American Civil Liberties Union of Southern California.

How We Got Started

by Professor Samuel H. Pillsbury

From my perspective, it all started in the fall of 2000. Just back from a sabbatical in Chile where I participated in lawyer training workshops, it seemed to me that Loyola needed a criminal defense clinic to complement the school's very successful district attorney's clinic.

After receiving the support of other criminal law faculty and the administration, the question became what kind of clinic. After some investigation, it seemed to me that a clinic focusing on juvenile delinquency presented unique opportunities. The juvenile justice system clearly needed additional defense resources, and there seemed a natural connection between young lawyers-to-be and youth charged with crimes.

Over the next two and a half years, I met with lawyers and judges in the field, directors of clinics at other schools, fellow faculty and administration. Eventually, a faculty committee formed to create a proposal that was approved by the entire faculty in early 2003. This gave authorization to hire a director and staff. We were in business—but we never would have reached this point without a number of key contributors.

From the beginning, Professor Linda Beres brought her own student experience in a clinical program at USC law school and a commitment to criminal defense to the project. We spoke often about aims and how to proceed.

In the practice community, Presiding Judge of the Juvenile Court, Michael Nash provided vital support. A Loyola alum and a nationally known juvenile court reformer, he saw the possibilities of the clinic and made sure that the legal system would give us a seat at counsel table.

Then there was Cyn Yamashiro, our current director. We connected early in the process when, entirely independent of our clinic plans, he came to the law school with an idea for a juvenile justice oriented public interest law firm. We talked then, and later, about our related ideas. His passion, experience and vision furthered the project in a number of important ways. Later, when the hiring committee had to recommend one person from a slate of extremely well-qualified candidates, he was chosen. He has since fulfilled all of our—very high—expectations.

The single most important contributor was Dean David W. Burcham. From the first vague suggestions to the present, the dean backed the project. He understood how it fit the mission of the law school and the university. He promised physical space and monetary support and delivered exactly what he promised. There would be no Center without the present dean's steady support. ■

“The juvenile justice system clearly needed additional defense resources, and there seemed a natural connection between young lawyers-to-be and youth charged with crimes.”

DISPATCHES

by Assistant Director Michael Shultz

With our third year of operation nearly complete, we are delighted to report that the Clinic continues to make a difference in children's lives. This new year presented challenges for our students and clients alike. The students were presented with much more serious and complex cases, and they responded to that challenge, achieving spectacular results for their clients.

To date, the students have completed ten of the forty cases we were assigned — two of those cases resulted in full court trials. Both cases were felonies and both cases involved allegations of serious misconduct. In the first case, the student achieved a partial acquittal to the most serious allegation. The court sustained the less serious charge. However, an appeal was filed and the Center's nascent appellate practice was born. The same student is now writing the minor's opening appellate brief. In the second case, the student performed like a veteran trial lawyer, obtaining a full acquittal on behalf of her client; a truly remarkable result considering that the student had only completed one-and-a-half semesters of law school at the time the case was tried. In both cases, the students performed exceptionally and the results obtained were directly attributable to the student.

We strive to extend our advocacy beyond the courtroom every chance we have. The addition

of an education attorney to our team has become a critical component to our model of “whole child advocacy”. Indeed, the students have spent almost as much time in the schools as they have in the courtroom. The team has:

- obtained “disability” assessments for four of our clients;
- obtained an inter-district transfer for a client who feared attending his local school;
- successfully prevented the expulsion of a client; and
- convinced a small school district to enroll a “special education” client.

Their greatest achievement, however, lies in effecting institutional change. In the course of advocating for one special education student, the team learned that the school district had no special education program. Their advocacy on behalf of one client convinced the entire school district to adopt a special education program and protocol.

With just a few weeks left in the school year, the students and the Clinic have a lot to do. Some cases will settle, some will be tried and hopefully some will be dismissed. If the students can achieve results comparable to those achieved thus far, the Clinic will experience another banner year.



Students tour courthouse detention area



Clinic student at counsel table



Students on Camp Gonzales tour

meet the **NEW ADDITIONS** to cjlp



Susan Harbert, Special Legislative Counsel



Karen Tamis, Skadden Fellow

NEW ADDITIONS TO THE CENTER

The Center started off the fall semester with a bang — welcoming several new colleagues, in addition to our 12 new clinical students.

In fall 2006, a group of five undergraduates from the Westchester campus interned at the Center: Maria Guerrero, Sydney Johnson, Jacqueline Martinez, Autumn Miley-Boland and Chelsea Moseley. All of the interns were seniors from the Political Science Department of LMU. In spring 2007, we had four more interns: Rachel Brewer and Kate Fahrner, both seniors at Occidental College, and Maral Broutian and Alex Dang, both seniors at UCLA. The interns assisted our clinical students with home visits, investigations and research, and also had the opportunity to observe courtroom proceedings.

The Center is also very pleased to announce the arrival of new staff member, Susan Harbert, a

2006 graduate of the Juvenile Justice Clinic, who will serve as special legislative counsel. In this capacity, she will work to promote the long-term objectives of the Center, both in LA County and statewide. She will also work to develop strategic goals for the Center's advocacy component, including media and development strategies.

Also joining us this year is Skadden Fellow Karen Tamis, who is an attorney in the Education Advocacy Project of the Disability Rights Legal Center, working in collaboration with the Center for Juvenile Law & Policy at Loyola Law School. Tamis represents youth with special education needs in the juvenile delinquency system to ensure that they receive appropriate education and related services.



Fall 2006 undergraduate interns (from left to right) Sydney Johnson, Jacqueline Martinez, Maria Guerrero, Chelsea Moseley and Autumn Miley-Boland.

social work CORNER

by Clinical Social Worker Alison King

During this past summer, I attended a three-day forensic social work conference in Chicago put on by the National Organization of Forensic Social Work (NOFSW). The conference was interesting and informative, and I returned not only feeling less alone in this new area of social work, but excited to offer up what I had learned, and expand the Center's approach toward both client representation and law and social work student training. Concepts such as the need for interdisciplinary representation were reinforced, and other innovative ideas were presented, such as law students learning more comprehensive client interviewing techniques from social workers, and the need for social workers to testify in appropriate cases as a way to bring alternative treatment plans into evidence and hold the system accountable for providing rehabilitation. We hope to test this approach this year.

I also recently had the opportunity to speak on a panel of social workers who work in the criminal justice system at the UCLA School of Public Affairs' Department of Social Welfare. Unfortunately, there was an over-representation of probation officers with MSW degrees who work in various positions, so a balanced perspective of what should now be labeled as Forensic Social Work—a varied field of practice—was not presented. Nevertheless, it did serve as a forum for exposing MSW fledglings to what we do here at the Center.

While the Center expands and works toward developing a "best-practice" model of client representation, we continue to focus on "whole child," or interdisciplinary advocacy. With Skadden Fellow and Education Attorney Karen Tamis now collaborating with our staff, and our recently-formed relationship with Pepperdine University's Graduate School of Education and Psychology, we are becoming better equipped to address both the educational and mental health needs of our clients more swiftly. In addition, I'm happy to announce that our partnerships with schools of social work in the Los Angeles area have grown, adding the newly formed program at California State University, Northridge to the list. This year, we again have a MSW student from UCLA, Brian Olsen. Brian will be assisting in conducting bio-psycho-social assessments of clients, helping to craft alternative disposition recommendations and provide resources when needed, researching funding opportunities to support our social work research efforts, and will be participating in PEP Talk - Parent Empowerment Program, which we hope to launch early in 2007. Welcome Brian!



Brian Olsen, MSW Intern, and Alison King, Clinical Social Worker



Susana Juarez



Andre Pennington

Where Are They Now?

by Program Administrator Roxanne Hill

Susana Juarez, a 2006 graduate of the Juvenile Justice Clinic who recently passed the Bar, is a new public defender in Los Angeles County. She recently worked on a capital murder case with Joel Koury '89, also an alumnus of Loyola Law School, and a public defender for the past 16 years. Juarez's role in the case was to coordinate the documents, reports and just about everything that was needed for the trial. She researched case law and took note of testimony. Juarez spent a lot of time with the client's family, re-assuring them that the team was doing everything it could and keeping them up to speed with regard to what was happening with the case. Asked how this case has impacted her life and is serving to inform her future, she says that it has reinforced her

belief that there are good people who are sometimes pushed to do terrible things. The realization that her client needed help motivated her to work harder and drove her to do the work even more.

When asked if he believed that Juarez's experience at our Clinic had prepared her for working at the public defender's office and on this case, Koury had the following to say: "As a former training coordinator for the LAPD, I have seen hundreds of dedicated new lawyers and law clerks, all of whom are dedicated and have an excellent understanding of the rules of evidence. But it is a pleasant surprise to find an attorney who really understands how to actually apply those rules. Ms. Juarez is one of those unusual attorneys who is not only devoted,

but also understands the essential nuances required to effectively defend a client in a capital triple murder case. So where did she get this rare skill set? After working with Ms. Juarez and meeting other graduates of the JJC, I directly credit your program. The JJC provides an important bridge between law school theory and the real world where grief-stricken people are testifying in an actual courtroom. Ms. Juarez has proven herself to be an essential and critical member of the capital defense team in the case of Julian Beltran. Thank you for providing the courtroom training so that she, and we, could hit the ground running."

by Former Student Andre Pennington

As a new Colorado Springs public defender I have the honor, challenge and privilege of defending each indigent person who comes out of two different divisions of the El Paso County Courthouse. I am currently a misdemeanor county court attorney, and the case load ranges between 200 to 250 cases. The types of cases I handle typically come in three different varieties: domestic violence (with subcategories of 3rd degree assault, harassment and violation of restraining order), driving under the influence and driving under restraint.

The Center for Juvenile Law and Policy, by way of real-life representation of its clients, and also

through the many classroom drills and clinical training (from negotiation drills all the way to closing arguments) has time and time again given me a point of reference during my real-life career experiences here in El Paso County. At times, especially as a young attorney, representing clients can become overwhelming. Unfortunately, there are many times in the practice of law where one is navigating uncharted seas, without any guidance or any frame of reference. At those moments, it is often useful to draw from my CJLP experience—whether it is from the courtroom exposure or the many classroom drills that helped develop my oral advocacy skills.

Without a shadow of a doubt, my current clients have benefited from my CJLP experience—not only in those cases that end in a plea bargain, but also those that end in trial. So far, my trial record is four wins and one loss. And although, as I recently found out, you cannot win them all, the most important thing is to be an effective advocate and guardian of client rights. I learned this lesson early on at the CJLP, and it is the standard I strive to meet each day in court.