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## UB CLINICS TEACH SKILLS, FIGHT FOR JUSTICE

By Hope Keller



Michelle Methemott (left), director of UB's Innocence Project Clinic, with Towanda Lockett, J.D. '16, and Malcolm Bryant.

**CHILD KILLER.** That's the label Malcolm Bryant wore in prison. He spent more than 17 years behind bars after being convicted of murder in the stabbing death of a teenage girl who was dragged off the street in East Baltimore on a rainy night in November 1998.

This spring, thanks to UB's Innocence Project Clinic, Bryant was freed after long-sought DNA tests confirmed what he'd insisted all along: The state had the wrong man; he was no child killer. For eight years the state also fought the release of the physical evidence that ultimately proved his innocence.

**SEX OFFENDER.** That's a label Shamere McKenzie still has on her record. When the man who forced her into prostitution was busted, he brought her down too, saying she'd transported young women across state lines to work as prostitutes — a federal crime. Today McKenzie is a college graduate, but her criminal record remains and requires her to register as a sex offender. UB's Human Trafficking Prevention Project is working on a petition for a presidential pardon, the only method of clearing her record.

**DEADBEAT.** That's how Baltimore's Department of Public Works categorizes Amanam Williams. The agency turned off the water to Williams's Southwest Baltimore home more than a year ago after she couldn't pay the bill when it soared 1,900 percent from one quarter to the next. By the time the water was shut off, she owed almost \$9,000. The Community Development Clinic has represented Williams since spring 2016. Clinic student-attorneys have also provided written testimony about water shutoffs to poor Baltimore households to the Inter-American Commission on Human Rights, which considers access to clean water a basic human right.

The three client stories are wrenching, infuriating and complicated, but they don't faze the student-attorneys and faculty of the University of Baltimore's clinical law program, which has represented low-income Baltimoreans and others for nearly 30 years.

"This is a snapshot," Venable Professor of Law MICHELE GILMAN, UB's director of clinical legal education, said of Bryant, McKenzie and Williams's cases. "These are examples of what goes on here every day in every clinic."

UB's law clinics also engage in research and advocacy to effect broad legal reform, with students often testifying before the Maryland General Assembly and other bodies.

"We can really be a catalyst for change," said Gilman, who took over the director's job in July 2016 from Dean Gilbert A. Holmes Professor of Clinical Theory and Practice ROBERT RUBINSON. "We have the resources and knowledge to help not just in individual cases but on larger systemic issues."

Ranked No. 21 in U.S. News's most recent national list of law schools, UB's clinical program is consistently rated among the top 25 in the country. The program was among the first to hire tenure-track professors, a practice now common in U.S. legal education.

"We were ahead of the curve," Gilman said. "We're on the cutting edge and we remain a model."

The clinical program helps not just clients and the Baltimore-area community. It also offers a career boost to students, whose experience doing hands-on lawyering makes them especially attractive to employers in today's competitive legal marketplace.

"Employers like to see clinical experience," said JILL GREEN, J.D. '94, assistant dean for law career development. "It's six months of training the employer did not have to provide. These graduates have real experience interviewing and counseling clients, preparing a case, developing strategy, going to court, conducting a trial. They learn to think on their feet. And they gain confidence and a deeper understand of how the law impacts people in their daily lives."

DAVID SHAFER, J.D. '15, an associate at Saul Ewing who specializes in mergers and acquisitions, said his experience in The Bob Parsons Veterans Advocacy Clinic helped him at the law firm, where he began working directly with clients as soon as he was hired — not always the case with new lawyers.

"In the clinic I learned 'soft skills' — how to interact with your peers, how to work as a team, but also how to work with clients and understand what the client's objectives are," Shafer said. "It applies across the board, whether your client is a large multinational corporation or a homeless person who needs help obtaining benefits."

UB's modern clinical program began after a 1988 report by a statewide advisory panel chaired by then-U.S. Rep. Ben Cardin recommended that both Maryland law schools receive extra funding to expand clinical programs providing access to justice for the poor.

Laurence M. Katz Professor of Law JANE MURPHY, a former director of UB's clinical program, and a colleague, Jane Schukoske, launched the program in 1989 after working with a mentor from the Georgetown University Law Center.

At first UB's clinical offerings were modest: family law, housing, civil law and criminal practice. The next year the Community Development Clinic opened. Today, the UB School of Law has 13 clinics, including the new Pretrial Justice Clinic, which began its first season this fall. In the 2015-2016 academic year, 200 student-attorneys were sworn in by Maryland Court of Appeals Judge Shirley M. Watts to practice law under the supervision of experienced clinicians.

(See Page 16 for a list and descriptions of the clinics.)

"The clinic faculty — completely integrated within the law school and directly engaged with practicing attorneys and legal academia — have guided the clinics to create impact within the broader community, and through the courts and legislative reforms," said Schukoske, who emphasized the importance of the clinics' annual conferences, which feature top-flight speakers and panelists and garner national and international attention.

UB's clinical law program is nationally known for its emphasis on student ownership of cases.

"We have a signature pedagogy here that's very sophisticated," Gilman said. "We give students front-line responsibility. They are not clerks."

Client-centred lawyering is also a hallmark of UB's clinics. Students work with their clients to achieve the goals that they — the clients — set for themselves. "We don't just tell students to do that," Gilman said. "We talk about why we focus on client-centered lawyering and why it's a better model of lawyering."

Continued Gilman: "Our clients are very satisfied by the level of attention and care they get from their student-attorneys. It can make winning or losing beside the point. What matters most sometimes is that they had an attorney by their side in a difficult time in their life who gave their story a voice."

Self-reflection is another key component of student-attorneys' work.

"We talk about what it means to be self-reflective," Gilman said. "The practice allows you to continue to grow and develop throughout your career."

The clinics represent individuals but also work to create systemic change in Baltimore and across the state.

“We have a very, very high success rate representing clients, but we also know that had our clients not had a lawyer, the outcomes would be completely different,” Gilman said. “Because most low-income people in Baltimore don’t have access to justice, you have the sobering realization that the outcomes we get are not available to most people. That’s why we also do law-reform legislation, to try to make the justice system better for people who can’t access a lawyer.”

This multidisciplinary model teaches students that, to create social change, they need “lots of tools in their lawyering toolbox,” Gilman said. “It’s not just litigation or transactional law. We use media as an advocacy tool; we educate people in the community about their legal rights. Students who have that awareness are more creative and potentially bigger agents of change.”

Among the student-attorneys to testify before the Maryland General Assembly in the 2015-16 academic year were Bronfein Family Law Clinic students DENISE BLAKE and RYAN KNOPP, who addressed the Senate Judicial Proceedings Committee in February in support of a bill that would expand the definitions of “stalking” and “harassment.”

“Because of the limitations in the current definition [of stalking], many of our clients are ineligible to seek relief from their stalkers,” Blake and Knopp told the legislators. “While these clients suffer greatly, they are not necessarily able to show that they are in fear of death or other crimes [that are] enumerated in our current stalking statute.”

The measure was signed into law in May 2016 by Gov. Larry Hogan and will take effect in October.

Also in 2015-16, student-attorneys in the new Juvenile Justice Project appeared before Maryland’s Parole Commission and advocated for clients who were sentenced as juveniles to life in prison. The

“The work in the Juvenile Justice Project is among the most meaningful work my student-attorneys and I have done in my 25 years of advocating for low-income clients in the clinic,” said Jane Murphy, founding director of the Juvenile Justice Project.

So far, Juvenile Justice Project student attorneys have worked on five prisoners’ cases — doing investigations, drafting pleadings, and interviewing the inmates’ family members and previous lawyers. The clinic is now negotiating with the state’s attorney’s office in advance of litigation in one case and has advocated for parole in several others.

Four friends of Malcolm Bryant’s testified they’d been with him the night that 16-year-old Toni Bullock was stabbed to death in a wooded lot off Harford Road, but the jury believed the sole witness, a friend of Bullock’s, who picked Bryant out of a “six-pack” photo lineup.

For the next 17 years, Bryant said, nearly every interaction he had meant defending his character and denying he was a child killer.

“Most defendants don’t get treated well in prison, but you tag me as scum of the earth right there [with that label],” he said in an interview.

Bryant’s lawyer for the last eight years of his ordeal was MICHELE NETHERCOTT, director of UB’s Innocence Project Clinic, who sought DNA testing of the evidence; a certain spot on the victim’s T-shirt, which was torn where the fatal knife thrust entered Bullock’s chest, and Bullock’s fingernail clippings.

“We had a fight every step of the way on the DNA testing,” said Nethercott, who worked with TOWANDA LUCKETT, J.D. ’16, and multiple student-attorneys over the years.

Finally, a judge ordered DNA testing of the T-shirt in the area most likely to have come into contact with the attacker; Nethercott suspected the murderer might have also been cut as the girl was stabbed “in a frenzy.”

She was right. The lab found a full male profile consistent with the DNA under the fingernails of the victim, who had tried to fight off her attacker. The

She was right. The lab found a full male profile consistent with the DNA under the fingernails of the victim, who had tried to fight off her attacker. The DNA profile was not Bryant’s.

Bryant recalled the events of May 11, 2016: He was in the sheriff's "bullpen" in the basement of Courthouse East, waiting for yet another hearing to begin, when Nethercott came downstairs.

The partition separating Nethercott from the holding pen was dark and dirty and she couldn't see Bryant, or he her.

"She said, 'I have something to tell you,'" Bryant recalled. "I'm thinking, 'State's attorney wins again.' But she took a deep breath. She asked me was I sitting down. I stood up, then I sat down. She said, 'Are you ready?'"

Nethercott told him the state's attorney was conceding that his convictions should be vacated and that the charges would be dismissed. "I'm glad I was sitting down," Bryant said. "I couldn't feel my legs. I was numb."

In a television interview the night he was freed, Bryant called Nethercott, Lockett and the Innocence Project student-attorneys "angels sent from God."

To other wrongfully convicted prisoners, he offered hope: "Don't give up, an angel is coming. An angel is coming."

Community Development Clinic client Amanam Williams was at first skeptical that student-attorney PAUL RODRIGUEZ could help save her home from a city tax sale because of her overdue water bill. But she quickly grew to appreciate his energy.

"I would have lost my home dealing with something like this on my own," she said. "Knowing that I have UB's law school to back me has given me courage to see this through to the end."

Human Trafficking Prevention Project client Shamere McKenzie remembers the year and a half she spent with the man she calls "the devil himself" as a time when she had no will to live.

When he said he would kill her if she didn't drive a car full of young women from New York to Connecticut, she told him to go ahead.

"I said, 'Well, kill me, if I die it will end my misery.' He said, 'You want to die?' I said yes. He said, 'Open your mouth.' I opened my mouth, he put the gun in my mouth and he pulled the trigger.

"I remember just standing there and looking at him. I'm thinking, you can't hurt me anymore, I'm gone. Then I realized I'm not dead. The gun wasn't loaded. He began beating me with the gun and it hurt, so I realized I'm not dead."

McKenzie says that JESSICA EMERSON, J.D. '13, director of the Human Trafficking Prevention Project, and student-attorneys ALISON AMINZADEH, J.D. '16, and CABO GRANATO have given her a gift.

"Through their help I found out I had a case in D.C.," McKenzie said of their work researching and collecting documentation for her petition for a presidential pardon. "There's no way I could have done this by myself."

McKenzie's experience with the clinic has also inspired her. A 2015 graduate of Loyola University Chicago with a bachelor's degree in criminal justice, McKenzie now wants to become an attorney like Emerson — a "badass" who knows the law.

Said McKenzie: "Law school is a must."

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*The original format of this article included two breakout boxes. The first was a photograph from May 2016, of clinical practitioners attending the 39th Clinical Legal Education Association conference. The second was "A Directory of UB's Legal Clinics" featuring: Saul Ewing Civil Advocacy Clinic, Community Development Clinic, Criminal Practice Clinic, Disability Law Clinic, Bronfein Family Law Clinic, Human Trafficking Prevention Project, Immigrant Rights Clinic, Innocence Project Clinic, Juvenile Justice Project, Mediation Clinic for Families, Pretrial Justice Clinic, Tax Clinic, The Bob Parsons Veterans Advocacy Clinic. Details can be found at <http://law.ubalt.edu/clinics/>*