

# CLINIC NEWS

The newsletter of the Texas Tech University School of Law  
Clinical Programs

## TEXAS TECH UNIVERSITY SCHOOL OF LAW HOSTS 11TH ANNUAL FACULTY UPDATE CLE PROGRAM AND 3RD ANNUAL TEXAS TECH LAW LIBRARY TECHNOLOGY CLE

**FALL 2016**

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In addition to their other *pro bono* and public service activities, the following members of the Law School faculty presented at the *11<sup>th</sup> Annual Texas Tech Law School Faculty Update for Legal Services Attorneys, Public Interest Practitioners & Pro Bono Attorneys* which this year was combined with the *3rd Annual Texas Tech Law Library Technology CLE* and held October 27-28, 2016, appropriately scheduled during National Pro Bono Week: Dean **Darby Dickerson**; Associate Dean and Professor **Arturo Torres**; Professors **Jared Gonzalez**, **John Krahmer**, and **Larry Spain**; Clinic Faculty **Dwight McDonald** and **Donnie Yandell**; Law Library Faculty **Jamie Baker**, **Alyson Drake**, and **Marin**



**Dell**; Adjunct Professor **Leslie Jill Patterson**; and attorneys **Steven Epstein** and **Tom Mighell**.

This annual CLE program provides training for public interest practitioners and *pro bono* attorneys without cost in a faculty member's area of expertise. The program was provided live in Lubbock with 122 attorneys registered while approximately 48 individuals viewed the program by live webcast.

Thanks to the sponsorship by the law firm of **McWhorter, Cobb & Johnson**, TTU Law

was also able to get approval from the New Mexico MCLE Department for 9.0 hours including 2.5 ethics.

## CLINICAL PROGRAMS WELCOMES NEW IN-HOUSE INNOCENCE CLINIC, DIRECTOR AND STUDENTS

The Fall of 2016 marks the first time in the law school's history that it has offered an in-house Innocence Clinic and welcomes clinic director **Allison Clayton**. In the Clinic, students review convictions in complex, high-grade felony cases in the hopes of exonerating an innocent person who was wrongly convicted of a serious crime.

The Innocence Clinic truly blends the theory with the practice of law, as students both learn about the root issues of innocence cases and also get to apply what they've learned to the cases of incarcerated individuals claiming to be actually innocent.

From the perspective of an attorney dedicated to the Innocence Movement, the great thing about having an in-house Innocence Clinic is students have the knowledge, passion, and time to devote to helping free the wrongly convicted—a trifecta exceedingly rare

among practicing attorneys and yet desperately needed in the field. From the perspective of a professor, it is exciting to use real cases to help students develop their research, investigation, and writing skills—skills I know they can safely rely upon for the duration of their legal careers, even if they never practice a day of criminal law. Even beyond the practical, I know the cases and life lessons the students learn in the Clinic will impact them for the rest of their lives, and that is a truly awesome thought.

With the vision and support of **Dean Dickerson**, the wisdom and guidance of **Professor Pat Metze**, and the intelligence and passion of the Clinic's students, Tech has provided the perfect atmosphere for the Innocence Clinic's development. I could not be more thankful and excited to be part of such an incredible team working on such a worthy cause.

## FROM THE DESK OF LARRY SPAIN - DIRECTOR OF CLINICAL PROGRAMS AND CIVIL PRACTICE CLINIC

During the fall semester, nine students were enrolled in the Civil Practice Clinic: **Lauren Arredondo, Jenée Durán, Triana Gonzalez, Frederick Hutterer, Nadine Ona, Kenia Ontiveros, Tiffany Pham, Blake Stone, and Cindy Vazquez.** In addition to directing the Low Income Taxpayer Clinic, **Terri Morgeson,** has worked closely with each of the students, available for questions and individual assistance, supervised them on individual cases, and accompanied them during court appearances. And, of course, **Elma Moreno** and **Irma Shepler,** have provided valuable administrative support for the students during their work in the Clinic.

Over the course of the semester, a total of 41 new client cases were undertaken, 11 cases were completed and closed and 51 cases remain open and will be carried over to the spring semester. Each of the students, in addition to being exposed

to a variety of legal problems through the evening *Pro Bono* Clinics, participated in the *Night Court Divorce Project*, a program offered in collaboration with the Lubbock County Courts to provide representation to low-income individuals in simple divorces with hearings held before Judge Judy Parker in the evening at the Law School.

Each of the students has been kept busy carrying an individual caseload of 4-5 clients at all times throughout the semester and assumed primary responsibility for the representation of clients in matters involving family law, disability claims, wills and other estate planning, consumer disputes, and other civil matters. Most of the students will have had an opportunity to represent at least one client from beginning to end in a divorce case over the semester as well as complete estate planning documents for at least one client.



Professor Larry Spain teaches Civil Practice Clinic, Family Law, Professional Responsibility, and Advanced ADR Clinic.

Before joining the faculty at Texas Tech, Professor Spain was the Director of Clinical Programs at the University of North Dakota School of Law for eighteen years, where he established several new clinical programs and expanded the range of clinical opportunities available to students. Prior to entering legal education, he worked for several legal services programs in Nebraska.

In addition to law teaching and legal practice, he has also been active in the field of alternative dispute resolution, serving as Chair of the Governing Board of a university-affiliated community dispute resolution center as well as being a frequent trainer and practitioner in mediation skills. He currently serves on the Advisory Board for the Office of Dispute Resolution for Lubbock County.



Pictured L to R (bottom to top):  
Cindy Vazquez, Nadine Ona, Lauren Arredondo,  
Kenia Ontiveros, Tiffany Pham, Jenée Durán,  
Blake Stone, Triana Gonzalez, Frederick Hutterer,  
and Professor Larry Spain

*Civil Practice Clinic was one of the most rewarding and challenging experiences of my law school career. I have improved my advocacy skills, client counseling techniques, and research abilities. I'm very thankful for all of the supportive supervisors in the Clinical Program to guide me through all of my cases.*

Tiffany Pham  
Civil Practice Clinic

## FROM THE DESK OF LARRY SPAIN AND GENE VALENTINE - ADVANCED ADR CLINIC

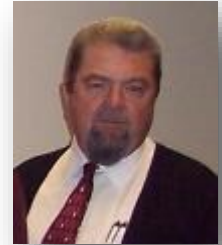
Seventeen students participated in the Advanced ADR Clinic during the Fall Semester: **Ben Agee, Ruby Boone, Shelby Bradley, Melissa Brisco, Hailey Burroughs, Joe Higgins, Julie Jaimes-Vazquez, Meredith Larson, Matthew Merriott, Annie Northcutt, Zirwa Sheikh, Andrew Smith, Chet Southworth, Keven Stratton, Melanie Uremovich, and Brianna Wilbur.**

The semester began with four full days of mediation training during the week before classes began for the fall semester. Completion of the course qualifies as 40 hours of classroom instruction in dispute resolution training for court appointment as an impartial third party under Chapter 154 of the Texas Civil Practice and Remedies Code. During the semester, students had the opportunity to initially observe experienced mediators conducting mediations before serving as a co-mediator or solo mediator in a variety of disputes through the Office of Dispute Resolution for Lubbock County. The cases mediated by

students included divorces, suits affecting the parent-child relationship, civil suits, landlord-tenant disputes, collections, criminal complaints referred by the DA's office, pre-pleas, and miscellaneous disputes self-referred to the Office of Dispute Resolution. Nearly 300 hours of mediation services were donated by students over the course of the semester.

In addition to the mediation of actual disputes, every student videotaped an introductory statement for mediation for critique, prepared reflection papers on mediations that they participated in, and made an oral presentation in class on a mediation skill or topic related to alternative dispute resolution.

We enjoyed working with a group of enthusiastic students in developing their mediation skills which will prepare them in their future professional role either serving as mediator or as an attorney representing clients in mediation.



D. Gene Valentini is the Director of the Dispute Resolution Department of Lubbock County, an administrative entity that manages an innovative ADR System, which began in 1985. He is also responsible for the statewide USDA mediation program. A mediator since 1981 and an active trainer for the past twenty plus years, Gene is the Master of Dispute Resolution for the courts of Lubbock County, Dean of Texas' ADR System directors and also co-teaches the Fall or Spring ADR course.



Pictured L to R (from bottom to top): Adjunct Professor Gene Valentini, Ruby Boone, Shelby Bradley, Julie Jaimes Araujo, Professor Larry Spain, Melanie Uremovich, Brianna Wilbur, Joe Higgins, Amber Rich, Melissa Brisco, Annie Northcutt, Andrew Smith, Hailey Burroughs, Keven Stratton, Zirwa Sheikh, Ben Agee, Meredith Larson, Chet Southworth, and Matthew Merriott

### WORDS FROM OUR STUDENTS:

*I would like to express my appreciation for being able to participate in the ADR Clinic. I do not know what my practice will look like in the future, but I hope to continue to hone my skills and be a mediator for many years to come.*

Amber Rich  
ADR Clinic

*The ADR clinic has taught me how to effectively resolve disputes that arise out of a wide array of practice areas. Understanding how a dispute can be settled outside of the courtroom enabled me to fully comprehend the duties of a practicing attorney and allowed me, as a neutral third party, to help the parties effectively communicate.*

Ruby Boone  
ADR Clinic



## FROM THE DESK OF WENDY TOLSON ROSS - DIRECTOR, FAMILY LAW AND HOUSING CLINIC

This semester we had eight (8) students enroll in the Family Law and Housing Clinic. These students were: **Carissa Christiansen, Emily Copeland, Stacy Grant, Brenda Johnson, Jeanette Moody, Kendra Naranjo, Holly Owens,** and **Emily Thakar.** However, Jeanette Moody is a December graduate. We will miss her in the Family Law Clinic next semester.

We have had a busy semester and the students all worked very hard this semester. The majority of the cases worked on by the students were family law cases. The students worked on over twenty-seven (27) family law cases and were able to complete ten (10) of those cases. We have one stepparent adoption case that we are currently working on this year. We completed our wrongful paternity case where we were able to successfully prove by DNA results that our client was not the father and we were able to terminate the parent-child relationship and child support for our client. We also had several divorces, both with and without children.

Additionally, we able to assist a disabled client to enforce his spousal maintenance payments from his ex-wife. The student was able to get a judgment for the back payments that were due and

to restart the current payments.

The students have attended several family-law mediations and negotiations this semester. We were able to successfully mediate a settlement in two (2) divorce cases. We were also able to negotiate a couple settlements on a couple of divorces.

Finally, this semester we continued our landlord-tenant clinic. However, we changed our format. Now, the Dispute Resolution Center directly refers tenants to our office and our office follows up with an appointment to determine if the clinic will accept the case. This has proven to be successful as it allows us to provide faster responses and relief to the tenant. Students have been able to address clients' concerns with obtaining repairs from their landlord and concerns over security deposits. Additionally, in one case, a student was able to successfully prevent the tenants and their children from being evicted~after the landlord had received a judgment for eviction~by negotiating and drafting a settlement agreement. The agreement successfully resolved all concerns that originally led to the eviction and both parties were happy with the end result.



Professor Wendy Tolson Ross teaches Family Law and Housing Clinic, Negotiations, Marital Property and Race and Racism.

Prior to joining Tech Law at the beginning of the 2005 summer sessions, Professor Ross was a Clinical Instructor of Law at St. Mary's University School of Law. She served as a Clinical Instructor from 1999 thru 2005. She was also Acting Associate Director for the Office of Academic Excellence. Professor Ross joined the faculty in the fall of 2005 to teach a section of the Civil Practice Clinic and to teach negotiations. She earned her B.A. from Texas Tech University and her law degree from University of Missouri - Columbia Law School. In addition to teaching the Family Law and Housing Clinic, Professor Ross also teaches Race and Racism, Negotiations Workshop, and Marital Property.

Professor Ross has also served on various community organizations throughout the years.



Pictured L to R (from bottom to top): Kendra Naranjo, Carissa Christensen, Brenda Johnson, Jeanette Moody, Holley Owens, Emily Thakar, Stacy Grant, Emily Copeland, Clinic Fellow Dwight McDonald, and Professor Wendy Ross

*My time in the clinic has presented a few challenges but it has given me invaluable experiences and the confidence I will need to be successful after graduation. I would highly recommend this program to all law students.*

Carissa Christensen  
Family Law and Housing Clinic

## FROM THE DESK OF PATRICK S. METZE DIRECTOR, CRIMINAL DEFENSE CLINIC

Just a short note to let everyone know the students in the Criminal Defense Clinic are, as always, busy representing real people in real cases in real time. Since the beginning of this semester, through November 30<sup>th</sup>, students have handled or are handling 85 cases for 59 different clients. Students handle all phases of representation from initial interview through appearance in Court. The responsibility of representation falls entirely on the clinic students shoulders under the ever watchful eyes of the Clinic Director and Clinic Fellow, **Dwight McDonald**. This semester, to date, of those 85 cases, 14 have been completed with 8 pleas of guilty and 6 dismissals - for a 43% dismissal rate. These 85 cases represent 66 misdemeanors, 1 juvenile, and 18 felony charges – a very ambitious docket. Representing clients in the Magistrate Court, two Lubbock County Courts at Law, and in all three criminal District Courts of Lubbock County are: **Benito Alonzo III, William Brooks, Brent Debnam, Erin Garza, Cole Leonard, Cody Oldham, Caitlin Sullivan and Rasha Zeyadeh**. Please congratulate them all for their hard work. Space does not allow an individual account of all they have accomplished in 3 months. Suffice it to say, these students are practicing law at the highest level for the benefit of

their clients every day. They are learning the real life lessons of the practice of law and putting their education to great use. All students are members of the Lubbock Criminal Defense Lawyers Association and the Texas Criminal Defense Lawyers Association. Networking with criminal defense lawyers is just one advantage of membership in these organizations. In October, the students travelled to Houston to attend a two-day seminar on forensics, compliments of the Texas Criminal Defense Lawyers Association and the Court of Criminal Appeals. Also, the students will attend the 37th Annual Prairie Dog Lawyer Advanced Criminal Law Seminar in January—all free of charge. During the course of each semester each student will spend a minimum of 200 hours representing their clients in addition to a two-hour seminar support course held once a week. This equates to a total time investment during each semester of a minimum of 1600 hours of pro bono representation for the clinic clients. The Criminal Defense Clinic is proud to represent the indigent citizens of the South Plains by court appointment only and plays its part in the Law School's commitment to providing quality, ethical representation to the poor while educating each student of the importance of such work.



Patrick Metzke became a full-time faculty member teaching and directing the Criminal Defense Clinic in 2008. Pat is an experienced criminal defense practitioner in Lubbock who is a Past President and Director of the Lubbock Criminal Defense Lawyers Association and former Board member of the Texas Criminal Defense Lawyers Association. He is enthusiastic about continuing the development of our Criminal Defense Clinic and providing a quality experiential program for our students.

He received a Bachelor of Arts from Texas Tech University and his Doctor of Jurisprudence from The University of Houston. He was admitted to practice in the State of Texas on April 29, 1974, celebrating this year 42 years in the practice of law. Prior to joining the faculty, he was one of only 14 attorneys qualified for appointment as first chair in Capital Murder cases in the 45 counties of the 9<sup>th</sup> Administrative Judicial Region and the only attorney in Lubbock who was qualified and solicited appointments to indigent clients for misdemeanors, juveniles, felonies, death penalty cases, and appeals in all courts.



Back Row (L to R):  
Clinic Fellow Dwight McDonald, Benito Alonzo III, Cody Oldham, Cole Leonard, William Brooks, and Professor Patrick Metzke

Front Row (L to R): Erin Garza, Caitlin Sullivan, Brent Debnam, and Rasha Zeyadeh

*Being a part of the clinic has been the highlight of my law school experience. Working with clients is as rewarding as it is humbling, and I look forward to applying what I've learned toward my future career.*

Cole Leonard  
Criminal Defense Clinic

## FROM THE DESK OF DONNIE YANDELL

### CAPROCK REGIONAL PUBLIC DEFENDER OFFICE

Fall 2016 is complete and this year the Caprock Regional Public Defender Clinic had eight student attorneys: **Tyler Stevens, Hilary Sanchez, Rosaline Perez, Derek Mergele, Michael Ludvik, Randy Lopez, Michael Debnam** and **Kylie Corson**. The student attorneys were assigned 72 cases. These cases included misdemeanors, juveniles and felonies.

The students represented clients in all manners of cases including Possession of marijuana, criminal mischief, violation of protective order, domestic assault, possession of a controlled substance, theft, criminal trespass, evading arrest, driving while intoxicated, robbery, false drug testing device, failure to identify, injury to a child, aggravated assault, resisting arrest, abandoning a

child, public intoxication to name just a few. The CRPDO has picked up two additional counties. We have not received any appointments from these counties yet but we are look forward to representing indigent defendants in these counties and hope to expand our office/clinic further in the near future!



Finally, this semester the student attorneys are doing a lot of work to make sure their clients get the best possible results and for the most part have succeeded in that endeavor. We have two or three cases that look like they may go to trial in the spring and the student attorneys are gearing up for a fight! I hope everyone has a great Christmas break and is ready for things to get even more exciting as the next semester progresses.



Donnie Yandell is currently the Chief Public Defender for the Caprock Regional Public Defender Office and teaches Law Practice Technology during the Fall semester.

Donnie attended Texas Tech University School of Law and graduated in December of 2001. Donnie was licensed in May of 2002 and immediately opened a private solo practice. He was in private practice until November of 2010 when he accepted the position of Chief Public Defender for the CRPDO.

Over the years, his practice focused more and more on criminal defense. He also handled family law, wills, probate and a few personal injury cases. He is licensed in federal court and has represented individuals in both civil and criminal cases therein. He has also represented individuals on appeal in the 7<sup>th</sup> Court of Appeals in Amarillo, the 11<sup>th</sup> Court of Appeals in Eastland and the 5<sup>th</sup> Circuit Court of Appeals in New Orleans. Donnie has tried several major felonies in state court. He is a member of the Texas Criminal Defense Lawyer's Association and the Lubbock Criminal Defense Lawyer's Association.



Back Row (L to R): Chief Public Defender Donnie Yandell, Derek Mergele, Michael Ludvick, Clinic Fellow Dwight McDonald, and Professor Patrick Metze

Front Row (L to R): Randy Lopez, Hilary Sanchez, Rosalind Perez, Michael Debnam, Kylie Corson, and Tyler Stevens

*Being in the Caprock Regional Public Defender's Clinic has been an invaluable opportunity where I have gained experience to prepare me for life after law school. It has allowed me to become more comfortable dealing with other attorneys, clients and judges, as well as shown me that this is exactly what I am supposed to be doing with my life, and I will be forever grateful for the experience!*

Kylie Corson  
CRPDO Clinic



## FROM THE DESK OF TERRI M. MORGESON — DIRECTOR, LOW-INCOME TAXPAYER CLINIC

In my third year as the Low-Income Taxpayer Clinic Director, the clinic continued on its path to helping taxpayers while teaching clinic students how to represent clients. Nine students participated in clinic this semester, **Jack Fulgham, Alexis Gebhardt, Maddison Murray, Eric Matthews, Adam Ondo, Kylie Rahl, Francis Tubb, Asqa Siddiqui, and Jana Simons**. These students represented over 80 clients, my largest number of concurrent clients to date. We also had our largest number of tax court cases to date with 14 cases. 7 cases settled with no tax liability owed and another three cases settled with a lower amount owed than what was original requested.

Although all cases are important, one case in particular, a woman who has two degrees from Texas Tech had a stroke several years ago which left her without the ability to speak. Although she gained back limited ability to speak, she still

continued to sign. Year before last, her daughter left her two grandchildren with our client and boyfriend. When it came to tax time, a predatory tax preparer convinced the boyfriend to file married filing jointly with our client so they could claim earned income credit on the two grandchildren. Unfortunately, our client was married to someone else and had been for over 20 years. The client knew she was legally married but did not understand the tax return or the action of the tax preparer. The IRS rejected the credit and wanted our client to pay back the refund she received. After excellent legal analysis and negotiation by **Francis Tubb**, the IRS agreed this was not a valid tax return and released from any and all liability.

I look forward to next semester and hope our number of clients continues to increase.



Terri Morgeson began her work with the Clinical Programs in the fall of 2007 as a full-time Clinical Fellow for the Civil Clinic, Family Law Clinic and Criminal Defense Clinics. She continued in this position while occasionally teaching a couple of upper level skills classes, negotiations and interviewing and counseling courses.

Terri graduated from Lubbock Christian University in 1994 and received her J.D. from Texas Tech in 2003. Before becoming an instructor at Texas Tech, Terri had a private practice here in Lubbock. She is currently a committee member for State Bar of Texas, Legal Services to the Poor in Civil Matters.

Additionally, Terri was a founding member of the Lubbock Private Defender's Office.

In May of 2014, Terri Morgeson agreed to accept the responsibilities and duties as Director of the Low-Income Taxpayer Clinic in addition to continuing as Clinical Fellow for the Civil Practice Clinic. Although the learning curve has been steep, she is enjoying the challenge and continuing the tireless work of her predecessors.



Back Row (L to R): Asqa Siddiqui, Eric Matthews, Jack Fulgham, Jana Simons, and Adam Ondo

Sitting (L to R): Alexis Gebhardt, Maddison Murray, Kylie Rahl, and Frances Tubb

*I have really enjoyed being in clinic because I am learning how to take my knowledge of tax law and apply it in a way that assists my clients in their dealings with the IRS. Moreover, it is great having Terri here to teach us the practical side of tax law, as I, for one, had never directly interacted with the IRS before.*

Adam Ondo  
Tax Clinic

## FROM THE DESK OF ALLISON CLAYTON — DIRECTOR, INNOCENCE CLINIC

There is never a dull moment in the Innocence Clinic. Just ask any of its four outstanding students: **Ashleigh Hammer**, **Brandon King**, **Mercedes Torres**, and **Rudy Moisiuc**.

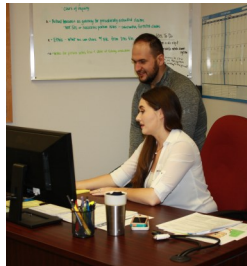
Over the course of the semester, the Clinic has undertaken the cases of 31 individuals claiming they were wrongly convicted of serious felonies. Percentage-wise 45% of our cases are murder cases, 39% are sexual assault, 10% are assault, and 6% are theft/robbery.

As part of their training and active casework, the students have traveled to San Antonio for the Innocence Conference, where they personally met several exonerated people; Tyler, where they actively investigated a murder case; Tennessee Colony, where they visited with one of the clinic's many clients in prison; and Houston, where they

learned about various areas of flawed forensics often contributing to wrongful convictions.

Each student is responsible for investigating his or her case, gathering all necessary documents, speaking with the relevant parties, assessing innocence viability, and drafting all case documents. The students also work directly with their clients confined in prison. In addition to extensive casework, the students receive general training on issues related to all innocence cases in general, including the common causes of wrongful convictions, how to investigate claims, and how to present innocence cases. They have also been active participants in confronting the

ethical issues related to innocence work, including how to interact with clients, attorneys, and the media.



Allison Clayton is the adjunct professor of the Innocence Clinic. In addition to the Clinic she runs a local law practice. She is Deputy Director of the Innocence Project of Texas, Director of the Lubbock Criminal Defense Lawyers Association, and an active member of the Amicus Committee of the Texas Criminal Defense Lawyers Association.

Allison graduated from TTU magna cum laude with honors in 2004 and TTU School of Law summa cum laude in 2007. Upon graduation from law school, she served as a clerk on the Second Court of Appeals for one year before becoming a staff attorney for the Federal District Court for the Northern District of Texas. Allison left the federal court in 2013 and started her own law practice focusing on appellate and post-conviction criminal defense litigation, which is ironic considering the fact she started law school fully intending to never practice a day of criminal defense in her life.

Dealing primarily with felony convictions, Allison has represented clients in appellate and post-conviction matters around the state and nation. She currently has cases pending in the United States Supreme Court, Fifth Circuit, Federal District Court for the Northern District of Texas, Texas Court of Criminal Appeals, and multiple Texas courts of appeals.



Back Row (L to R): Professor Patrick Metze, Brandon King, and Rudolf Moisiuc

Sitting (L to R): Ashleigh Hammer, Director Allison Clayton, and Mercedes Torres

*The Innocence Clinic has challenged almost every pre-conceived notion I had regarding the criminal justice system, and I will graduate law school with a more comprehensive, profound, and realistic understanding of criminal appellate law. I'm so thankful to have been afforded the opportunity to work with the Innocence Project of Texas, and I can't wait to continue innocence work as a licensed attorney.*

Ashleigh Hammer  
Innocence Clinic



## LOW-INCOME TAXPAYER CLINIC COMMUNITY OUTREACH

by Nancy Mojica, Community Outreach Coordinator



Once the 2016 Spring Semester was over, our tax law students headed out for the summer break, the Low-Income Taxpayer Clinic continued to provide assistance to eligible taxpayers in our service area. Again, I had the pleasure of assisting these taxpayers with the initial contact throughout the summer and into the fall semester. I had the privilege of working with one Tax Clinic student during the summer months who under the supervision of the Tax Clinic Director assisted these individuals with their income tax related issues during the summer months. But once the fall semester was in full swing the tax club students were once again ready to take on cases and assist taxpayers with their tax related issues.

During the summer months, I was able to conduct community outreach in Midland County, Ector County, Scurry County, Nolan County, Potter County, and Howard County. I also participated as a guest speaker at a meeting of the South Plains Community Action Association in Levelland, Hockley County, Texas and familiarized individuals with the LITC and the services provided.



As the Fall semester started, I was able to do some community outreach in Gaines County and Hobbs (Lea County) New Mexico. A mass mailing of brochures was sent to additional agencies and organizations in Lubbock, Hale, Hockley, Bailey, Midland, Lamb, and Deaf Smith counties. Thanks to Elma Moreno, the last community outreach effort was conducted in Sutton and Val Verde Counties in November to several social service agencies, libraries, and centers.

I participated as a vendor at the "Walk Like MADD" and Resource Fair on September 10, 2016. The event was held at the Lubbock County Courthouse lawn and hosted by Mothers Against Drunk Driving for the West Texas area. It was a joy visiting with over 200 participants and their families and lots of their furred friends. I will continue to get involved with any Health or Resource Fairs available throughout our service area that will allow us to participate as vendors and promote our resources as well as continue with direct and in-direct outreach to all the counties within our service area of Texas and Eastern New Mexico.



## WORDS FROM OUR STUDENTS:

My name is Michael Debnam and I am in the Caprock Regional Public Defender Clinic. It has been a great learning experience and is the best way to get real experience while in law school. I represent real clients and have the opportunity to represent them throughout the entire legal process. Donnie Yandell is my supervising attorney, he works across the hall and is always available for questions and advice. The clinic has been the best learning experience I have had in law school.

Michael Debnam  
CRPDO Clinic

I very much enjoyed the advanced ADR clinic. I met many Lubbock attorneys and other practitioners, and helped parties resolve their disputes without costly trials. I gained patience when confronted with contentious parties, and learned a lot about the practice of mediation. And I gained many friends among the other clinic fellows and office staff. My clinic experience made me a better person and a better future lawyer.

Andrew Smith  
ADR Clinic

## RECENT CASE OF INTEREST



**Jenèe Durán (Civil Practice Clinic)** represented a client at mediation in a lawsuit filed last spring by **McKenzie Jordan ('16)** under the Deceptive Trade Practices Act (DTPA) against a business that a consumer had paid \$1,550 in advance for repairs to her vehicle and business failed to make the repairs over a two year period. Pursuant to a mediated settlement agreement, a judgment was eventually entered against the business for \$22,500 plus interest.

## WORDS FROM OUR CLIENTS

*(Frederick Hutterer) was so good I thought he had done several (Wills previously).*

*(Lauren Arredondo) was very engaging and professional. It was my pleasure to work with her.*

*I thank (Jenèe Duran) and others for their help. They are like angels.*

*I honestly wish I had known about this awesome Tax-Clinic. They (Melissa Arano and Terri Morgeson) actually finally got me the help I had been seeking for the past five years I had been struggling back and forth with the IRS. (Being a single grandmother is not an easy task).*



## THANKS TO FACULTY AND STUDENTS SUPPORTING PRO BONO

Thanks to the following faculty who assisted at *Pro Bono* Clinics held in conjunction with Legal Aid of NorthWest Texas during the fall semester:

**Associate Dean Arturo Torres** (2 clinics), **Professors Gerry Beyer** (1 clinic), **Wesley Cochran** (2 clinics), **Cassie Christopher** (2 clinics), **Sally Henry** (1 clinic), **Alex Pearl** (1 clinic), **Tracy Pearl** (1 clinic), **Wendy Ross** (1 clinic), **Robert Sherwin** (1 clinic), **Larry Spain** (5 clinics). **Law Library Faculty Jamie Baker** (1 clinic), **Clinic Supervising Attorney Dwight McDonald** (2 clinics), **Career Services Staff Nathan Leake** (2 clinics) and **Paula Smith** (1 clinic).



Pro Bono Week Celebration at Maggie Trejo Community Center

assisting with three *Pro Bono* Clinics during the fall semester that various law students participated in that were coordinated by **Stacy Riker**, Associate Director for Pro Bono Projects. All students in the Civil Practice Clinic and Family and Housing Clinic participate in the *Pro Bono* Clinics as part of their clinical work. In addition, the following law students assisted at the Pro Bono Clinics during the fall semester:

**Jill Beatty, Lucilla Clark, Emily DeYoung, Kate Foley, LeaAnn Kidd, Cole Leonard, Kaylee Long, Guy W. McGunegle, Elliott Oday, Martha Posey, Chloe Reyes, Christal Roethlein, and Mary Whittington .**

The Law School faculty co-sponsored two *Pro Bono* Clinics held at St. John's United Methodist Church during the month of September as well as

If you are interested in participating in a future *Pro Bono* Clinic, contact **Stacy Riker**,

## WHERE ARE THEY NOW?

**Samantha Jarvis** (Criminal Defense Clinic '16) is an Assistant District Attorney at Montgomery County District Attorney's Office.

**Patrick Overman** (CRPDO '16) is currently working as a public defender in the Bee County Regional Public Defender's Office (in Beeville, Texas).

**Carlos Armendariz** (Tax Clinic '16) is working with an experienced attorney in a small firm in Midland. He is practicing Immigration, Disability, and Family law.

**Trevor Brown** (CDC '16) is currently an associate at Tough Law Firm, PLLC in Spring, Texas. His practice centers on civil litigation, but also drafts wills & trusts, as well as various contracts for businesses, and has even assisted in a criminal case. He states his clients thus far have ranged from his hometown priest to a youth soccer club. Also, because of the clinic, he is not afraid to handle clients or go in front of a judge. **#StraightOuttaCDC**

**Andrew Cavazos** (Civil Practice Clinic '16) is an attorney at James Kennedy PLLC Law Firm in El Paso, Texas.

**Alex Hyde** (Civil Practice Clinic '16) is working for a small personal injury firm, Brill Law Firm, in

## FIRST ANNUAL HALLOWEEN COMPETITION

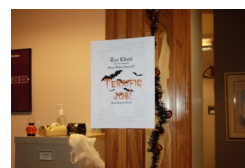
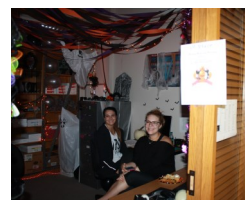
It is very clear that our clinic students are VERY competitive. Given the opportunity to decorate and compete against other clinics, students become very innovative and talented in decorating their

individuals clinics. Thanks to Director of Career Services Paula Smith, Associate Dean Arturo Torres, and Administrative Assistant Lynn Karnavas, for taking time out of their busy schedule to judge the competition, the following



clinics were selected:

First Place — Family Law and Housing Clinic  
Second Place — Civil Practice Clinic  
Third Place — Criminal Defense Clinic  
Terrific Job Award—CRPDO Clinic  
Great Effort Award—Tax Clinic



## VOLUNTEER OPPORTUNITY— COALITION SEEKS VOLUNTEERS FOR UPCOMING TAX SEASON



As a member of the Board of Directors of the *Coalition of Community Assistance Volunteers* I am always seeking volunteers prior to the holiday break to assist with the tax season around the corner. An information

session was held on October 18th and was very well attended. As a result of the meeting and in addition to the tax clinic students who have assisted for several years, several students have completed volunteer commitment forms! The LITC Clinic Director, Terri Morgeson, the LITC Community Outreach Coordinator, Nancy Mojica, and myself serve on the CCAV Board and are committed to volunteering during the tax filing season.

It's not too late to sign up to volunteer! The *Coalition of Community Assistance Volunteers* asks that you consider volunteering your time and talents to prepare and e-file income tax returns FREE for low income taxpayers in our community. Tech Law students have played an important role in the community by serving as volunteers for the Volunteer Income Tax Assistance program for many years. Last year our volunteers enabled more than 3,111 taxpayers to save approximately \$466,000 in unnecessary tax prep and rapid refund loan fees, while bringing more than \$4 million in refunds into the local economy.



Volunteers prepare basic individual income tax returns on an easy-to-use computer software program and enjoy protections under state and federal Volunteer Protection Acts.

While volunteer Tax Preparers may choose to train and test at two different levels (Basic and Advanced), we ask that law students **train and test at the Advanced Level**. Training and testing must be done on-line.

This is a great opportunity for students to gain valuable experience that will look good on a resume while also giving back to the community.

CCAV also hosts a volunteer luncheon after tax filing season at which time law students and other volunteers are recognized for their participation in the VITA.

We hope you'll choose to participate with us during the upcoming tax season which runs from January 17th thru April 18th by volunteering 2-4 hours of your time per week. If you are interested, please feel free to contact me at [elma.moreno@ttu.edu](mailto:elma.moreno@ttu.edu) if you have any questions or if you would like to pick up a packet before you leave for the holiday season.

Please visit the website at [www.ccavlubbock.org](http://www.ccavlubbock.org) to register online and to view pertinent information.

## WHERE ARE THEY NOW!

**Jessica Eaton** (CDC '16) recently started a job as a Legislative Director in Austin at the Capitol!

**Shahzeb Atta** (Tax Clinic '16) recently started at Winstead PC in Houston. Practice is focused on estate and gift tax controversy.

**Abbey Cohen** (Tax Clinic '16) recently moved down to Austin to start working as Associate General Counsel for Compliance Alliance, a subsidiary company of the Texas Bankers Association. She is currently handling compliance and regulatory questions from bankers nationwide.

**Stacy Riker** (Family Law and Housing Clinic '16) is currently the Associate Director for Student Life and Director for Pro Bono Projects at TTU School of Law.

**Joseph Austin** (Tax Clinic '16) is currently an associate at Kemp Smith LLP in El Paso, Texas.

**McKenzie Jordan** (Civil Practice Clinic '16) is working in Houston as an associate for Galloway, Johnson, Tompkins, Burr & Smith. She does a little bit of everything but primarily insurance defense, automobile liability, and personal injury.

For more information on becoming a volunteer for the Volunteer Income Tax Assistance, please visit: [www.ccavlubbock.org](http://www.ccavlubbock.org), call (806) 765-0725 or email Elma Moreno at [elma.moreno@ttu.edu](mailto:elma.moreno@ttu.edu)





## WORDS FROM OUR STUDENTS



*Serving as a student attorney in the Family Law & Housing Clinic has been by far the most valuable and rewarding experience in my law school career. I have enjoyed the opportunity to represent clients in various legal matters and interact with the local legal community. There is only so much one can learn inside the confines of a classroom and this experience has*

*provided me an opportunity to apply what I have learned in the classroom. As Albert Einstein once said, "Information is not knowledge. The only source of knowledge is experience".*

Brenda M. Johnson  
Family Law and Housing Clinic

*Clinic is the best experience I've had in law school! I've gained invaluable practical experience by working with real clients and advocating for them in court. The level of support and mentorship that I've received in clinic has given me the confidence to handle any challenges I might face after law school.*

Hilary Sanchez  
CRPDO Clinic



*The clinic provides so much more than practical skills. The professors here go beyond the classroom by teaching the importance of each client's case. They go out of their way to emphasize how important each case is to these individuals' lives. That's a lesson often forgotten in the typical law school classroom.*

Brent S. Debnam  
Criminal Defense Clinic

*My name is Michael "Miz" Ludvik, and I am in the Caprock Regional Public Defender Clinic. My time in this Clinic has been the most rewarding experience of my law school career. My supervising attorney/professor Donnie Yandell is an inspiration to us all, no one has pushed me to my limits and beyond better than Donnie. His constant support has lifted me up to levels I previously thought were nonexistent. Thank you Donnie, you raise me up.*

Michael "Miz" Ludvik  
CRPDO Clinic

*CRPDO has given me the opportunity to learn the practical skills associated with the law practice of law. Instead of being an infliction on clients when I am licensed, I will actually have some sense of what I should do when handed my first case.*

Rosalind Perez  
CRPDO Clinic



*The Innocence Clinic provides me the unique opportunity to work on actual cases where oversight or mishandling of the legal system has led to the incarceration of innocent people, while still being in law school. This is special because the experience allows me to see errors and mistakes before I become a fully licensed attorney, in hopes that I use that knowledge to avoid similar mistakes.*

Rudy Moisiuc  
Innocence Clinic



*The Low-Income Tax Clinic, has given me the opportunity to work with clients who truly need help. It has been such an amazing hands-on experience and I am so thankful I have had this opportunity!*

Alexis Gebhardt  
Tax Clinic

*Sitting in class and learning to "think like a lawyer" is a big part of law school. However, the clinic has allowed me the opportunity and privilege to represent real clients from the beginning of their case to the end. It is an extremely powerful experience to advocate for real clients as a law student and the Clinic professors have helped me every step along the way. I would recommend the clinic to all my colleagues in law school.*

Randy Lopez  
CRPDO

*The Criminal Defense Clinic has been the highlight of my academic*



*career. Through the Clinic, I have had the opportunity to represent real clients facing serious charges. I learned what being a zealous advocate truly means. I became the voice for my clients when they felt voiceless, fought for them when they wanted to give up, and believed in them when they had no one in their corner. I am thankful for this*

*opportunity and all those who have helped me along the way.*

#CDCsetspeoplefree

Rasha Abu-Zeyadeh  
Criminal Defense Clinic

*My clinic experience has been nothing but positive. There is a perfect balance between professional supervision coupled with an inevitable learning curve which provides for more confidence and knowledge leading up to graduation. I would highly recommend to any law student.*

Cody Oldham  
Criminal Defense Clinic

## WORDS FROM OUR STUDENTS

*Being part of the Caprock Regional Public Defender Office has provided me with invaluable real-world experience. Led by an audacious defender of liberty and justice, Donnie Yandell, I now feel confident to effectively represent and fight for my clients.*

Tyler Stevens  
CRPDO



*The Civil Practice Clinic provides vibrant experiential learning to its qualified law students. It is a worthwhile experience if you want to develop skills that are not taught in a traditional classroom, but are essential to practice law.*

Cindy Vazquez  
Civil Practice Clinic



*I guess my comment for this semester is that I have never been more challenged or rewarded in my academic career. I'm learning practical skills and building relationships that I will carry long after graduation.*

Holley Owens  
Family Law and Housing Clinic

*The Texas Tech University School of Law Civil Practice Clinic experience was both rewarding and challenging. With every case assignment, client interview, client counseling session, and conference with my supervising attorneys, I was given an opportunity to apply knowledge that I gained in many of my law school courses to help people who need it most. The Clinic fostered a friendly, collaborative work environment, enabled me to communicate ideas with my peers and supervisors, and provided me with many opportunities to connect with clinic staff, judges, and other attorneys; this Clinic is the best practical experience in law school!*

Triana Gonzalez  
Civil Practice Clinic



law school.

*The Criminal Defense Clinic has already provided me with experiences that I believe will have a positive impact on my legal career. By being able to help clients on a daily basis, getting to negotiate with prosecutors, and being able to cite case law to a judge and have her agree with me, I feel that I have gained great practical experience that I could not receive anywhere else in the*

Ben Alonzo  
Criminal Defense Clinic

*The ability to serve the community and practice my legal skills in the Family Law & Housing Clinic has increased my confidence and client advocacy skills one hundred percent!*

Jeanette Moody  
Family Law and Housing Clinic



*The Civil Practice Clinic has taught me practical yet very important lawyering skills that you don't learn in a classroom setting. The work I've done in the clinic has been the most challenging but the most rewarding. The clinical experience has definitely been my favorite part of law school.*

Kenia Ontiveros  
Civil Practice Clinic

## SNAPSHOT CORNER

The Clinical Programs hosted a table with information regarding the individual clinics and promoted the *Clinical Programs* on Tuesday, August 30, 2016, in the forum during the **Student Organization Fair**. Several students helped disseminate information.



## Fall Clinic Orientations



## Divorce Night Court

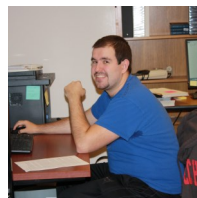
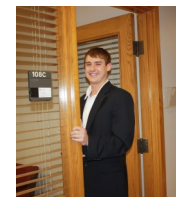
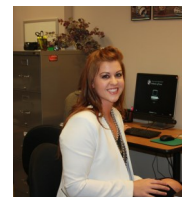
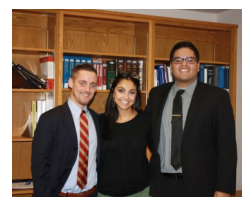
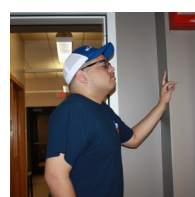
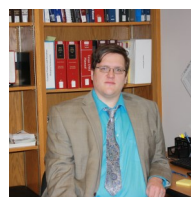
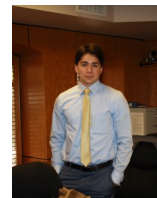


*Selection process for Students Interested in Participating in the Clinical Programs during the 2017-2018 academic year will begin in early February! Mandatory Information Session is scheduled for January 26, 2017—Lanier Auditorium! Watch for announcements in January and visit the clinic website at <http://www.law.ttu.edu/acp/programs/clinical/> for more information!*

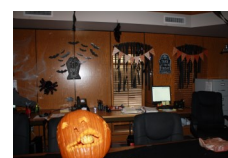


## SNAPSHOT CORNER

### Just for Fun!



### Halloween Fun!



**CLINIC DIRECTORS:****Larry R. Spain**Civil Practice Clinic  
Advanced ADR Clinic**Wendy Tolson Ross**Family Law and Housing  
Clinic**Terri M. Morgeson**

Low-Income Taxpayer Clinic

**Patrick S. Metz**Criminal Defense Clinic  
Capital Punishment Clinic  
Caprock Regional Public  
Defender Clinic**Allison Clayton**

Innocence Clinic

**CO-DIRECTORS/  
INSTRUCTORS:****Gene Valentini**Adjunct Professor  
Advanced ADR Clinic**Donnie Yandell**Chief Public Defender  
Caprock Regional Public  
Defender Office**CLINIC FELLOWS:****Terri Morgeson**

Civil Practice Clinic

**Dwight McDonald**Family Law/Housing Clinic  
Criminal Defense Clinics**STAFF:****Elma Moreno**Office Manager/Legal  
Assistant**Irma Shepler**

Legal Assistant

**Nancy Mojica**LITC Community Outreach  
Coordinator

**FROM THE**  
***FALL 2016 CLINICAL PROGRAMS***  
***FACULTY AND STAFF***



***ON BEHALF OF THE CLINICAL PROGRAMS FACULTY AND STAFF,  
WE'D LIKE TO THANK DEAN DICKERSON FOR YOUR CONTINUED  
SUPPORT OF THE CLINICAL PROGRAMS AND WISH HER ALL THE  
BEST IN HER FUTURE ENDEAVOR!***

**CLINIC NEWS**

Fall 2016 Edition

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