



SPRING 2017

CLINIC NEWS

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

CLINICAL PROGRAMS HONOR STUDENTS DURING ANNUAL RECOGNITION EVENT

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The annual *Student Recognition Event* was held on April 20th in the Lanier Auditorium. A total of 68 students were recognized with a *Certificate of Appreciation* for their dedication and participation in the clinical programs. Interim Dean Rick Rosen welcomed and congratulated the students on another successful year.

Although the Clinical Programs has been in existence since the Fall of 2001 (with the Tax Clinic implemented in 2000), this event marked the 12th year that students have been recognized by the Clinical Programs for their participation, dedication, and commitment to representing low income

individuals in the community who cannot otherwise afford to retain the services of an attorney.

Since the inception of the clinical programs which began with the LITC in April 2000, a total of 1069 students have participated in the programs and contributed thousands of student hours.

Students recognized participated in the *Advanced ADR Clinic, Tax Clinic, Civil Practice Clinic, Family Law and Housing Clinic, Criminal Defense Clinic, Caprock Regional Public Defender Clinic, Capital Punishment Clinic, and Innocence Clinic.*



CHARLSIE MOORE ADR AWARD

The Dispute Resolution Center of Montgomery County, Inc., a non-profit, volunteer organization in Conroe, Texas originally formed by the Montgomery County Bar Association which provides mediation and conflict resolution



training to individuals, businesses, agencies, and the courts, funded a scholarship award in honor of a long-time member of their Board of Directors, Charlsie Moore, to recognize the top students in the *Advanced ADR Clinic* for their demonstrated mediation skills. The recipients of this award, selected by the faculty teaching the Advanced ADR Clinic, were **Keven Stratton** and **Hailey Burroughs**. Each of these students will receive a scholarship award and have their name inscribed on a permanent plaque displayed in the law school.



On behalf of the Clinical Programs Faculty and Staff we thank the students for everything they have done and providing high quality representation to their clients! For more information on the Clinical Programs, please visit:
<http://www.depts.ttu.edu/law/clinics-and-externships/clinics/index.php>



From the Desk of Larry Spain - Director of Clinical Programs and Civil Practice Clinic

During the spring semester, the following eight students continued their important work providing legal services to individual clients in the community while developing their legal skills through the Civil Practice Clinic: **Lauren Arredondo, Jenee Duran, Frederick Hutterer, Nadine Ona, Kenia Ontiveros, Tiffany Pham, Blake Stone, and Cindy Vazquez.** **Terri Morgeson**, in addition to directing and supervising students in the Low Income Taxpayer Clinic, also worked closely with each of the students in the Civil Practice Clinic; was available for questions, guidance, and individual assistance; and supervised their legal work on assigned individual cases. Along with Terri's assistance, **Elma Moreno** and **Irma Shepler** provided constant and valuable administrative support to the students in their clinical work.

Over the course of the spring semester, a total of 25 new client cases were undertaken, 37 cases were completed and closed and 20 cases will remain open and carried over the summer for

completion during the fall 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.

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 representing clients in matters involving family law, disability claims, wills and other estate planning, consumer disputes, employment matters, and other civil matters. Every student had an opportunity to complete one or more family law cases from start to finish over the course of the semester. During the semester, **Lauren Arredondo, Nadine Ona, Tiffany Pham, and Cindy Vazquez** conducted hearings before administrative law judges while representing individual clients on social security disability claims.

This group of students has been a joy to work with who each gained a great deal of confidence over the course of the year as they represented clients in a variety of legal matters. Good luck on the bar exam and as you enter the profession.

CIVIL PRACTICE CLINIC

- Focuses on development of professional skills and values in a closely supervised clinical setting
- Students will assume individual responsibility for representing actual clients in all phases of client representation in social security disability claims, family law, wills and advance planning, housing issues, consumer and civil rights claims and other civil cases of interest to students
- Classroom component will provide instruction in substantive and procedural law applicable to cases handled by the Clinic as well as ethical issues and professional values; professional skill development; and case rounds
- Students have individual supervisory sessions with faculty and maintain a reflective clinic journal.



Pictured L to R:

Standing: Terri Morgeson, Cindy Vasquez, Lauren Arredondo, Kenia Ontiveros, Nadine Ona, and Professor Larry Spain

Sitting: Frederick Hutterer, Jenee Duran, Blake Stone, and Tiffany Pham

RECENT CASE OF INTEREST

Nadine Ona received a favorable decision after a hearing before an administrative law judge finding her 45 year old client disabled on the basis of schizoaffective disorder, depressive disorder, and personality disorder. The claimant

was found disabled since November 13, 2013. The client received a retroactive award of \$16,441.44 and continuing monthly benefits of \$735.00

Congratulations to the following students selected for the **Civil Practice Clinic** for the 2017-2018 academic year:

Ruby Boone, Shelby Broaddus, Jesus Cano, Rachel Holland, Ryan Mitchell, Chase Price, Alexandra Willen, and Allison Winkle



From the Desk of Wendy Tolson Ross - Family Law and Housing Clinic Director

This semester has been an exciting semester! The students in the clinic this semester were: **Carissa Christensen, Emily Copeland, Stacy Grant, Brenda Johnson, Kendra Naranjo, Holly Owens, and Emily Thakar.** Both of our Emilys were engaged and one of the Emilys, Emily Thakar, actually got married during the semester. Our best wishes go out to both of our Emilys on their marriages.

We have had many divorces that we completed this semester. We had 8 divorces with children, 23 divorces without children, and 3 custody cases. One of these divorces resulted in the students working on a lot of discovery. The students successfully argued a Motion to

Compel which resulted in a court order for opposing counsel to produce discovery we requested. As a result of the student's hard work, the case is in good shape for the final hearing scheduled this summer.

Students attended several mediations for their divorce cases. This resulted in favorable settlements for their clients. One client was able to secure a sizeable reimbursement in her divorce case. In another case, the student was able to help secure a fair division of the property and a settlement where both parties were very satisfied.



We also had 20 housing cases. We were able to assist clients with advice on their rights as to repairs. We also were able to write letters to the landlord on the behalf of the client. Finally, we helped a client to attempt to save her house from being foreclosed on by the mortgage holder and from back property taxes.

FAMILY LAW and HOUSING CLINIC

This is a full-year 12 credit hours (6 per semester—2 for classroom component and 4 for case work) course limited to 8 students. Students accepted into the clinic must be registered for both Fall and Spring semesters.

Students assume primary responsibility under faculty supervision of all phases of representation in assigned cases in family law and housing matters. The course focuses on the development of professional skills and values in a closely supervised clinical setting, including interviewing and counseling, case analysis and planning, problem solving, fact investigation, negotiation and mediation, document drafting, written and oral advocacy.

Classroom component will provide instruction in substantive and procedural law applicable to cases handled by the Clinic as well as ethical issues and professional values; professional skill development; and case rounds.

Pictured L to R:

Standing: Professor Wendy Ross, Carissa Christensen, Holley Owens, and Dwight McDonald

Sitting: Kendra Naranjo, Stacy Grant, Emily Thakar, Emily Copeland, and Brenda Johnson



"The Family Law Clinic has been the perfect way to ignite my passion for practicing law and helping those who are truly going through some of the worst times in their lives. I came to law school because I wanted to help people and working in the clinic has fulfilled that goal. This experience has been the highlight of my law school career and such an invaluable learning experience!"

Emily G. Copeland
Family Law/Housing Clinic

"Family Law/Housing Clinic has become so close as a group and have enjoyed learning from each other and encouraging each other through our cases. By having my classmates' support, this year has been such a wonderful experience for me."

Carissa Christensen
Family Law/Housing Clinic

Congratulations to the following students selected for the **Family Law/Housing Clinic** for the 2017-2018 academic year:

Vinnie del Mundo, Julia Handt, Desiree Hemphill, Nicole Ordenez, Chloe Reyes, Peter Shuler, Taylor Smith, and Jennifer Wallace



From the Desk of Terri Morgeson - Director, Low-Income Taxpayer Clinic

The Low-Income Taxpayer Clinic started the 2016-2017 Spring Semester with nine students: **Alexis Genhardt, Jack Fulgham, Eric Matthews, Madison Murray, Adam Ondo, Aqsa Siddiqui, Jana Simons, Francis Tubb, and Mary Elizabeth Courtney.** In addition to their clinic duties, the students volunteered four hours a week at Lubbock's free tax preparation site operated by CCAV VITA. VITA has been operating in Lubbock for 15 years. This year, the program assisted 2,796 families whose average annual income was \$17,155. Between the students and myself, we volunteered over 573 hours between January 23rd and April 18th. At VITA's award ceremony, Francis Tubb was honored with the *Quality Reviewer of the Year* award and Aqsa Siddiqui was given the *Tax Preparer of the Year* award. Director Terri Morgeson was honored with *Volunteer of the Year* award having volunteered over 101 hours. Office Manager, Elma Moreno is on the Board of Directors of VITA and has volunteered with the agency since its inception. Her dedication to this program has directly enriched the lives of

hundreds of Lubbock families. Our work at VITA allows the clinic to educate the community about our services.

Despite our long hours at VITA, we continued to represent clients with controversy issues. Since January 1st of this year, we have accepted a record 35 cases. The Low-Income Taxpayer Clinic received a personal congratulations from our Taxpayer Advocate Service's Grant Analyst for our continued increase in clients served and case outcomes.

Francis Tubb was awarded the Marilyn Phelan tax award for her outstanding work in the Low-Income Taxpayer Clinic. Francis represented 10 clients. Although some cases are still pending with the IRS, Francis saved three clients \$16,269.30.

This year we have seen a rise in the referrals for cases at the examination stage. Mary Elizabeth Courtney successfully negotiated with examinations saving a local family \$5,100. Mary's work is significant because she began her work with the tax clinic in January.

All of the students did such great work, in our year end grant report we saved taxpayers \$266,033 and our clients received \$16,685 in actual refunds. To date, we have saved taxpayers over \$107,000 and they have received an estimated \$18,000 in refunds.

LOW-INCOME TAXPAYER CLINIC

This is a full-year 10 credit hours (5 per semester—2 for classroom component and 3 for case work) course limited to 8 students. 2-4 students can possibly be accepted for both summer sessions and students earn a total of 4 credit hours (2 per session).

The Low-Income Taxpayer Clinic was formed in April 2000 to provide professional skills training to law students and to provide law students the opportunity to gain practical experience in administrative proceedings before the Internal Revenue Service and in judicial proceedings before the United States Tax Court. The clinic serves residents in the West Texas Panhandle area of Texas and Eastern New Mexico by offering representation to taxpayers who are unable to obtain professional tax counsel. Students develop important lawyering skills by interviewing and counseling clients, conducting factual investigations, legal research and analysis, negotiating compromises, drafting documents and litigating.

Students are responsible for their own caseloads but are closely supervised by the clinic director. The director of the clinic assists the students in all phases of their clinical education.



Pictured L to R:

Jack Fulgham, Eric Matthews, Adam Ondo, Jana Simons, Aqsa Siddiqui, Alexis Gebhart, Frances Tubb, Madison Murray, Clinic Director Terri Morgeson, and Mary Elizabeth Courtney

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"Tax clinic has been a truly positive experience. I have developed valuable skills and had the opportunity to represent clients in need. I will look back on this experience as one of the most beneficial educational opportunities I had law school."

Frances Tubb
Tax Clinic

Congratulations to the following students selected for the **Low-Income Taxpayer Clinic** for the 2017-2018 academic year:

Payton Beggs, Abbey Coufal, John Davis, Kaitlyn Foley, Sergio Herrera, Christopher Mitchell, Alexander Pennetti, and Joshua Radabaugh



From the Desk of Patrick S. Metze - Director, Criminal Defense Clinic

As is our custom, the students in the 2016-2017 Criminal Defense Clinic were busy all year representing real people in real cases in real time. This year, the students handled 150 cases for 101 clients. Of these cases, 77 are still pending, 38 were disposed of through some type of negotiated plea, and 35 cases were dismissed. Cases consisted of 111 misdemeanors and 39 felonies. This is an average student case load of over 12 clients per student and almost 19 cases per student, which is well in excess of the clients and cases promised in the clinic catalogue. Students handled all phases of representation from initial interview through appearance in court. Members of the clinic represented clients in the Lubbock Municipal Court, before the Justice of the Peace, in the Magistrate Court, in both Lubbock County Courts at Law, and in all three felony District Courts of Lubbock.

Clinic students during the Spring semester were: **Benito Alonzo, William Brooks, Brent Debnam, Erin Garza, Cole Leonard, Cody**

Oldham, Caitlin Sullivan, and Rasha Zeyadeh. Please congratulate every one for all their hard work. These students are trained and ready for the practice of criminal law.

During the school year, these students performed well in excess of 3200 hours of pro bono representation of the poor. I am grateful for the tireless and invaluable help of Professors Dwight McDonald, Donnie Yandell and Terri Morgeson who helped guide the students all year. The wide variety of cases along with the collaborative nature of our clinics gives the students exposure to the daily challenges of the criminal defense practitioner well in advance of graduation. Most students agree their clinical experience ranks among their best experiences in law school. During the weekly two hour classroom component, students shared with each other their accomplishments on their cases, their goals, fears and concerns. By freely sharing and participating in these open class discussions, students assisted each other in the learning experience and helped formulate strategies, themes and theories of their cases, while learning to perform very complicated and sophisticated legal analysis. Collaborative class discussions were often very spirited and were always an enjoyable exchange of ideas. We are there to learn and enjoy our work. Several learning environments are available to the

(continued on page 6)

CRIMINAL DEFENSE CLINIC

This is a full-year 12 credit hours (6 per semester - 2 for classroom component and 4 for case work) course limited to 8 students.

Students accepted into the clinic must be registered for both Fall and Spring semesters. The CDC provides a community service by representing defendants in criminal cases who would otherwise be unable to afford their own legal representation.

Cases involve misdemeanors, felonies, and juvenile offenses in Lubbock County and the surrounding metropolitan area.

Prerequisites include: Students must be 3L status, not be on academic probation, and have taken Evidence, Criminal Procedure, and Professional Responsibility.

Recommended 3L courses include Texas Criminal Procedure, Trial Advocacy, and/or moot court or mock trial experience.

Students may not be concurrently enrolled in this class and another clinic or externship; all other qualifications being equal, students with no prior clinical or externship for credit experience are given preference for placement in the CDC; students may not have outside employment if enrolled in this clinic, however, exceptions can be made; and students may not sit for the February bar exam.



Pictured L to R from
bottom row:

Caitlin Sullivan, Brent Debnam, Rasha Zeyadeh, Erin Garza, Dwight McDonald, Cody Oldham, Benito Alonzo, Cole Leonard, William Brooks, and Professor Patrick Metze

Congratulations to the following students selected for the **Criminal Defense Clinic** for the 2017-2018 academic year: **Marta Acosta, Brian Burkhardt, Case Donovan, Rikki Earnest, John David Garcia, Bailey McGowan, Andrea Nfodjo, and Uzochukwu Okonkwo**

From the Desk of Patrick S. Metze - Director, Criminal Defense Clinic (continued from page 5)

students, including mandatory office hours leading to collaborative learning. The students work in close proximity, sharing ideas and developing strategies while keying off the knowledge of their peers. It is my hope this becomes a custom that will follow them into practice as the criminal defense bar freely shares knowledge and experience with younger attorneys. Other experiential learning was courtesy of the criminal defense bar from throughout Texas and the United States. In April, the CDC participated in the Law School's annual chili cookoff ~ a departmental tradition. The CDC continues with bragging rights that it produced the "best real chili" at the cookoff – even though the judges were wrong AGAIN. The Clifford Brown Award for 2017 was awarded to Rasha Zeyadeh for her "excellence in the art and science of criminal defense advocacy." I only wish I had awards for all the



students, they all deserve one. There was significant effort and professionalism shown this year by all members of the Clinic. I hope the experience was meaningful and a jumpstart to a successful practice in criminal law. Additionally, all my students showed a real interest in *pro bono* work and I know that such a commitment to the poor will continue throughout their entire careers. Or, at least it better. Also, it is my sincere wish that each student remembers Texas Tech Law fondly with particular affection for their clinical experience.

As I tell the students, practicing law is about treating each client as a valuable individual, doing their very best for each client one at a time, representing that client to the best of their ability, and ethically seeking Justice by holding the State to their burden. Preparation is the key. Remember to RGDS and all you need is that Gold Card. While studying for the Bar this summer, no drama, pass the Bar and stay in touch. Come back often.

WORDS FROM OUR STUDENTS



"The clinic was by far the most valuable part of my law school expired. No where else was I able to actually practice. Working with real clients on real cases gives our work meaning."

Brent Debnam
Criminal Defense Clinic

"A lot of people ask me, 'why would you want to be a criminal defense attorney and represent people who've committed awful crimes.' My answer to them is always, 'allegedly committed awful crimes.' But, the true answer is that I want to be a criminal defense attorney because it's a job our Founding Fathers believed to be so important to a free and FAIR society that they wrote it in the United States Constitution. Every defendant is guaranteed the right to legal representation by the Sixth Amendment. My job is so

important that it is guaranteed by the United States Constitution. That is why I want to be a criminal defense attorney. I am so thankful to the Criminal Defense Clinic, Patricio, Big Mac, and Donald for further igniting my passion for this work!"

Rasha Abu-Zeyadeh
Criminal Defense Clinic

"Participating in the Capital Punishment Clinic has been an amazing and life-changing experience for me. Although my time in the clinic was short, I've obtained a perspective that will last a lifetime."

Mario Moreno
Capital Punishment Clinic



ADVANCED ADR CLINIC

- Students receive intensive mediation and conflict resolution skills training and course qualifies as the 40 hour basic mediation training
- Students will have the opportunity to observe mediations, co-mediate and solo mediate actual disputes through the Lubbock County Dispute Resolution Center
- Class format will consist of a combination of lecture, class discussion and interactive participation, skills exercises, mediation role plays, videotape review
- The course will provide students with the opportunity to develop skills essential to effective problem-solving that can be integrated in the practice of law as well as advise, counsel and prepare clients for mediation.

Congratulations to the following students selected for the **Advanced ADR Clinic** for the 2017 Fall semester:

Nicolas Arkells, Isaac Blanco, Nikki Byd, Michael Collier, Zachary Daw, Joseph Ellis, Michael Gomez, Chrystian Gonzalez, Madison Goodman, LeAnn Kidd, Sophie Loika, Paige Lyons, Nicolas Mitchell, Kevin Parish, Hannah Putnam, Jessica Robertson, Jordanna Sutton, Julia Wisenberg, and Christopher Wright



From the Desk of Donnie Yandell - Caprock Regional Public Defender Clinic

Another year is almost complete and this year the Caprock Regional Public Defender Clinic had eight student attorneys: **Tyler Stevens, Hilary Sanchez, Rosalind Perez, Derek Mergele-Rust, Michael Ludvik, Randy Lopez, Michael Debnam** and **Kylie Corson**. With two weeks left in the year, the student attorneys have been assigned 115 cases and of which they have closed 64. 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 one additional county and we are currently working on an appointment from that county.

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 been able to achieve some dramatic results in our cases which have resulted some very happy clients.

Derek Mergele-Rust was the well-deserved recipient of the Robert J. and Ann Burbridge Criminal Clinic Award. This award is presented on an annual basis to a student attorney in the Caprock Regional Public Defender Clinic who demonstrates excellence in the art and science of criminal defense advocacy. Congratulations Derek!

Finally, this has been a momentous year for CRPDO thanks to the student attorneys I have had the pleasure of getting to know and work with.

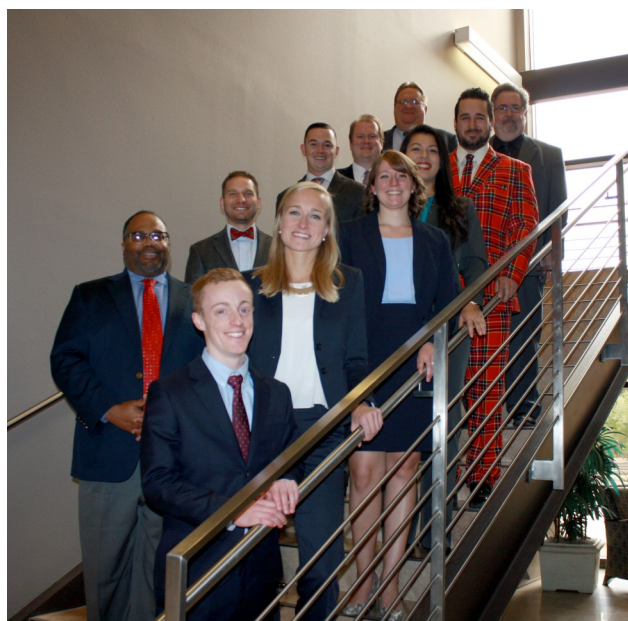
CAPROCK REGIONAL PUBLIC DEFENDER CLINIC

This is a full-year 12 credit hours (6 per semester - 2 for classroom component and 4 for case work) course limited to a maximum of 8 students. Students accepted into the clinic must be registered for both Fall and Spring semesters. The CRPDO provides a community service by representing defendants in criminal cases who would otherwise be unable to afford their own legal representation. Cases involve misdemeanor and juvenile offenses in a 10 county region. Students are closely supervised by Donnie Yandell.

Prerequisites include: Students must be 3L status, not be on academic probation, and have taken Evidence, Criminal Procedure, and Professional Responsibility.

Recommended courses include Texas Criminal Procedure, Trial Advocacy, and/or moot court or mock trial experience.

Students may not be concurrently enrolled in this class and another clinic or externship; students may not have outside employment if enrolled in this clinic, however, exceptions can be made; and students may not sit for the February bar exam.



Left Row (bottom to top):

Dwight McDonald, Randy Lopez, Tyler Stevens, Derek Mergele-Rust, and Donnie Yandell

Right Row (bottom to top):

Michael Debnam, Kylie Corson, Rosalind Perez, Hilary Sanchez, Michael "Miz" Ludvik, and Professor Patrick Metzger

Congratulations to the following students selected for the **Caprock Regional Public Defender Clinic** for the 2017-2018 academic year:

Kaitlin Gates, Jason Judd, George Ian Manning, Joseph McShane, Kelsey Robbins, Erika Sparkman, Travis Warner, and Camille Youngblood





From the Desk of Allison Clayton - Director, Innocence Clinic

During the Spring Semester, the Clinic made exciting progress in several of its cases. After months of case development, research, and legal analysis, the Clinic filed its first petition for habeas corpus relief. The case is currently pending before the Court of Criminal Appeals. The State does not oppose our request for relief, and the trial court recommended we win. We have also worked with district attorneys in two more cases to obtain DNA testing of evidence in old murder cases—evidence never before tested and only recently discovered. That testing will be completed over the summer, in

time for next year's group. During the semester, we also traveled more than 1,000 miles, visiting clients at 5 different prisons and meeting with district attorneys, case witnesses, and clients' families. We also learned who has the best taste in music and who is the worst driver. In addition to our casework, the Clinic traveled to San Diego for the Innocence Network Conference. That conference is a life-changing experience, providing the opportunity to speak in-depth with famous exonerees, policy makers, and attorneys all at the same time about issues surrounding innocence work worldwide. The San Diego view wasn't bad either. This year's group of students, **Rudy Moisiouc, Mercedes Torres, Brandon King, and Ashleigh Hammer**, have been true trailblazers. They have set the bar high not only for the TTU Innocence Clinic but for every other innocence clinic in the state.

"I thoroughly enjoyed my experience with the Innocence Clinic. Professor Allison Clayton always provided sparkling insight to otherwise difficult and unfamiliar issues, in turn allowing my colleagues and I to learn and gain significant practical experience with the daunting post-conviction process. And although the subject matter dealt with was often grim, the camaraderie between the students and staff—as well as breakthroughs in case—made my experience with the Texas Tech University School of Law's Clinic Program a memorable one."

Brandon King
Innocence Clinic



Pictured L to R
(top to bottom):

Rudolf Moisiuc, Professor
Patrick Metz, Brandon
King, Ashleigh Hammer,
Director Allison Clayton,
and Mercedes Torres

INNOCENCE CLINIC

This is a full-year 12 credit hours (6 per semester - 2 for classroom component and 4 for case work) course limited to 4 students.

Students accepted into the clinic must be registered for both Fall and Spring semesters. The *Texas Tech Innocence Clinic*, working in conjunction with the Innocence Project of Texas, provides a clinical opportunity to students interested in post-conviction appellate criminal law. The Texas Tech Innocence Clinic provides legal representation and investigative services to individuals seeking to prove their innocence of felonies for which they have been convicted.

Prerequisites include: Students must be 3L status, not be on academic probation, and have taken Evidence, Criminal Procedure, and Professional Responsibility.

Recommended 3L courses include Texas Criminal Procedure, Trial Advocacy, and/or moot court or mock trial experience.

Students may not be concurrently enrolled in this clinic and another clinic or externship; all other qualifications being equal, students with no prior clinical or externship for credit experience are given preference for placement in the clinic; students may not have outside employment if enrolled in this clinic, however, exceptions can be made; and students may not sit for the February bar exam.

Congratulations to the following students selected for the *Innocence Clinic* for the 2017-2018 academic year:
Ryley Bennett, Kristen Gavigan, Janet Moreno, and Christian Nisttahuz



From the Desk of Patrick S. Metze - Capital Punishment Clinic

The Regional Public Defender for Capital Cases office welcomed it's eighth Capital Punishment Clinic this past Spring semester. The office is the only statewide defender for capital cases with eight regional offices throughout Texas. Our clients are, each of them, in the unenviable position of prolonged incarceration, generally single celled, alienated from family with little hope of eventual release. This semester three students were chosen from those that completed the Fall 2016 Capital Punishment seminar. Completion of the seminar indoctrinates the chosen students into the unique world of the capital defender. The students chosen this year were **Patricia Griffith, Mario Moreno** and **Tasia Easlon**. They were immediately assimilated into the framework of not only the capital trial teams assigned to each case, but into the entire fabric of the office. They were instructed in the various office protocols, as well as the roles of the fact investigators, the mitigation specialists, and the line attorneys. With that limited exposure, they were quickly utilized by all of the RPDCC staff and morphed immediately from observer to valued contributor. Assignments included the mundane (research and drafting motions), spending time with clients in jails, the nerve wracking, and the exhilarating (resolution of a client's case with a sentence other than death). Biweekly office staffings are a critical

communication technique utilized by the RPDCC. Each case is thoroughly discussed, and various strategies vetted with all staff members participating. These student attorneys not only attended the staffings, but were regular contributors to the development of the mitigation and litigation plans for each client. As a capital trial began this semester, students were utilized in the most important jury selection process and were able to watch the trial as it progressed into punishment. This is a very unique opportunity given to only a few to view a capital trial from the defense perspective. Whereas the RPDCC focused on the "how to" aspect of defending the capital case, many discussions emphasized the "why" aspect-why the defense teams function in a particular way. Methodology and its underlying foundation is critical to the success of the capital defense practitioner, and is literally a matter of life and death for the client.

As a result of winning the 2013 University Departmental Award for Teaching Excellence given by the University Teaching Academy and the University Provost, each year we treat the school to lawyers, teachers, storytellers, and activists committed to the rights of the individual. In October, the three Criminal Defense Clinics were honored to present Frank Urbanic of Oklahoma City, former clinical student, to speak on his experiences in establishing their own criminal practice right out of law school. In April 2017, attorney Stan Schneider from Houston, Texas, spoke to the students while he was on campus arguing a case before the 5th Circuit Court of Appeals. He told of his start in criminal law and his current efforts to exonerate a man wrongfully convicted of murder.

WORDS FROM OUR STUDENTS

"Being in the capital punishment clinic has taught me a lot about what kind of attorney I want to be. I want to make sure I don't just look at something and scratch the surface before I make a decision I want to be able to see the whole picture inside and out, from both sides. I think the clinic taught me how to do that."

Tasia Easlon
Capital Punishment Clinic

"The clinic is the best program the school has to offer. Throughout the year, I have continuously grown in confidence and learned essential skills necessary in becoming a young attorney. I would highly encourage everyone to consider participating in a clinical program."

Cody Oldham
Criminal Defense Clinic

"Being a part of the Caprock Regional Public Defender's Clinic this year was the absolute best decision I could have made. Not only has it advanced my experience in the professional world, but it has allowed me to work with other students who have the same drive, love, and passion for criminal defense. We have all seen some crazy things & dealt with even crazier clients, but it has only allowed me to realize this is what I care about and this is what I am destined to do in life!"

Kylie Corson
CRPDO Clinic



Pictured L to R:

Rob Cowie, Professor Patrick Metze, Mario Moreno, Patricia Griffith, Tasia Easlon, and Dennis Reeves

CONGRATULATIONS CLINIC STUDENTS HONORED DURING HONORS AND AWARDS CEREMONY

Several clinic students were honored on April 19th during the Texas Tech University School of Law Honors and Awards Ceremony. As a disclaimer, these do not include all the recognitions and awards received during other events!

Recipient of the *Professor Marilyn Phelan Tax Award* was **Frances Tubb** (Tax Clinic). One award is given in honor of Horn Professor Emeritus Marilyn Phelan by Michael Denham ('99) to a graduating student who "has excelled in the Tax Clinic". The other award is an award presented to a student who intends to practice in the tax area and is permanently endowed by Karl Clifford ('72) and Steve Krier ('77).



Rasha Abu-Zeyadeh (Criminal Defense Clinic) was the recipient of several awards including the *Clifford W. Brown Lubbock Criminal Defense Lawyers Association Award* (this award recognizes excellence as a student attorney in the Texas Tech Criminal Defense Clinic and is funded by the Lubbock Criminal Defense Lawyers Association), the *Judge Meade F. Griffin Award* (this award recognizes a graduating law student who, through industry,



perseverance, integrity, and character, has best utilized the law-school experience to improve and prepare for service to the profession and to humankind. Funded by Judge Griffin's former briefing attorneys), the *Judge Ken G. Spencer Award* (this award was established by the late Judge Ken Spencer of Crane and awarded to a student whose propensity to survive in law school by dogged persistence, or ability to adapt to adversity, or sheer force of personality or charisma, appeals to the admiration of the faculty. Award created in memory of Bertha and George Whipple), the *National Jurist Law Student of the Year* for her leadership abilities and a demonstrated commitment to justice, and the *2016-2017 Pro Bono Excellence Award and Pro Bono Achievement Award* for performing

at least 50 hours of pro bono work during the academic year and 150 hours during law school. In addition, Rasha was also recognized as a *2017 Who's Who Among Students in American University & Colleges* and as a *Student Ambassador*.

Michael "Miz" Ludvick (CRPDO Clinic) was awarded the *Pro Bono Graduating Student of the Year Award* which recognized him for demonstrating a steadfast commitment to pro bono work throughout his time in law school. He was also the recipient of the *Pro Bono Achievement Award* and the *Pro Bono Excellence Award for 2016-2017*. Finally, he was also recognized for his leadership as President of the Third-Year Class and as a top 10 finalist for the *PSJD Pro Bono Publico Award*.



Congratulations to **Carissa Christensen** (Family Law/Housing Clinic), **Andrew Smith** (ADR Clinic) and **Ruby Boone** (ADR Clinic) for being recognized by the *Academy for Leadership in the Legal Profession*.

The *George W. and Sarah H. Dupree Award* was presented to **Kylie Corson** (CRPDO Clinic). This award is an endowed award given to the member of the graduating class who, in the opinion of the student's colleagues, best exemplifies the ability desired in one soon to join the legal profession.

Randy Lopez (CRPDO Clinic) was the recipient of the *Linda J. Kamp Service Award*. The award is given in honor of Professor Susan Fortney to a student who exhibits outstanding moral and ethical conduct among his or her peers while attending law school. Award is funded by Russell Devenport ('98), Lincoln Goodwin ('98), and Michael Holley ('99).

PRO BONO DIVORCE NIGHT COURT CLINIC

This project is co-sponsored by Texas Tech University School of Law Clinical Program, Legal Aid of NorthWest Texas, and Lubbock County Courts.

Law students meet with the qualified applicants and help them file for a divorce under the supervision of the Civil Practice Clinic and Family Law/Housing Clinic professors. Law students prepare the paperwork, file it with the courts, and finalize the divorces before the Honorable Judy C. Parker.

Clinics are held once a month from August thru November during the Fall semester and January thru March during the Spring semester. Clinic offices are used for the interviews and all prove-ups are held in the Don Hunt or Allison Courtrooms.

For an individual to qualify for these services they must meet the following requirements:

- Meet the income guidelines which are based on family size;
- Must not have children of the marriage;
- Minimal to no property;
- No physical abuse during the marriage; and
- Be a Lubbock County resident.

LANWT screens all individuals and schedules the appointments.

(continued on page 11)

CONGRATULATIONS CLINIC STUDENTS HONORED DURING HONORS AND AWARDS CEREMONY

(continued from page 10)

The **Robert J. and Ann Burbridge Criminal Clinic Award** was presented to **Derek Mergele-Rust** (CRPDO Clinic). This is an award created through an endowment given by Ann Burbridge who was a long-time registrar at the law school. It was created in memory of her husband and is given to a third year law student in a criminal defense clinic who has provided zealous advocacy for those accused of committing crimes in rural or underserved communities of Texas. Derek was also awarded the **PSJD Pro Bono Publico Award** as a **Merit Distinction Honoree** for his pro bono work. In addition, Derek was the recipient of the **Cheri Livermore and Donna Williams Student Award** which was donated by Cynthia Hall ('09) for his dedication to the mission of the law school and commitment to public service as a member of the Admissions Office's Student Recruitment Council. Finally, Derek was also recognized with the **2016-2017 Pro Bono Excellence Award** for performing at least 50 hours of pro bono work during the academic year.

Ashleigh Hammer (Innocence Clinic) was the recipient of the **National Association of Women Lawyers Outstanding Law Student Award**. This award recognizes a student contributes to the advancement of women in society, promotes issues and concerns of women in the legal profession, exhibits motivation, tenacity and enthusiasm, demonstrates high academic achievement, and commands respect among faculty members. Ashleigh was also the recipient of the **State Bar Appellate Section Award for Excellence in Appellate Advocacy** for her demonstrating the most potential to excel in appellate advocacy upon graduation.

Congratulations to the following clinic students who were also recognized with the **Pro Bono Achievement Award**: **Hilary Sanchez** (CRPDO Clinic) and **Aqsa Siddiqui** (Tax Clinic). **Aqsa Siddiqui** was also recognized with the **2016-2017 Pro Bono Excellence Award** for performing at least 50 pro bono hours during the academic year and **Hilary Sanchez** was

recognized with the **2016-2017 Pro Bono Honors Award** for performing at least 30 pro bono hours during the academic year.

The following students were recognized for completing the

Excellence in Legal Research program: **Lauren Arredondo** (Civil Clinic), **Jenee Duran** (Civil Clinic), **Tasia Easlon** (Capital Punishment Clinic), **Joshua Ford** (Tax Clinic), **Joseph Higgins** (ADR Clinic), **Jeanette Moody** (Family Law/Housing Clinic), **Adam Ondo** (Tax Clinic), and **Holley Owens** (Family Law/Housing Clinic).

Congratulations to the following clinic students for being recognized as **Who's Who Among Students in American Universities & Colleges for 2017**:

Advanced ADR Clinic: Joseph Higgins, Meredith Larson, Matthew Merriott, and Keven Stratton

Civil Practice Clinic: Lauren Arredondo, Jenee Duran, Triana Gonzalez, Frederick Hutterer, and Tiffany Pham

CRPDO Clinic: Kylie Corson, Randy Lopez, Michael "Miz" Ludvick, and Derek Mergele-Rust

Criminal Defense Clinic: Rasha Zeyadeh and Cole Leonard
Family Law/Housing Clinic: Emily Copeland and Carissa Christensen

Tax Clinic: Joshua Ford, Madison Murray, Adam Ondo, Kylie Rahl, Aqsa Siddiqui, Jana Simons, and Frances Tubb.

Innocence Clinic: Ashleigh Hammer and Brandon King

Congratulations also to **Brandon King** for being recognized as a **2017 Phi Kappa Phi Inductee** and **2017 National Order of the Scribes**!

Finally, congratulations to all the students recognized by the **Law Journal Executive Boards**!!!



CONGRATULATIONS Professor Larry Spain and Elma Moreno for your 15 years of service to Tech Law and the Clinical Programs!!! Elma received her 15 year pin at the **TTU Length of Service Ceremony** on April 20th. Professor Spain was unable to attend.

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 spring semester: **Associate Dean Arturo Torres** (1 clinics), **Cassie Christopher** (1 clinic), **Sally Henry** (1 clinic), **Alex Pearl** (1 clinic), **Tracy Pearl** (2 clinics), **Robert Sherwin** (1 clinic), **Larry Spain** (7 clinics); **Law Library Faculty Jamie Baker** (2 clinics), **Associate Director of Career Services Nathan Leake** (4 clinics), **Clinic Faculty Dwight McDonald** (1 clinic), and **Associate Director of Pro Bono Projects Stacy Riker** (2 clinics).

The Law School faculty co-sponsored two *Pro Bono* Clinics held at St. John's United Methodist Church and a *Pro Bono* Clinic held at Mae Simmons Community Center during the month of

February as well as assisting with four *Pro Bono* Clinics during the spring semester that various law students participated in that were coordinated by **Stacy Riker**, Associate Director for Pro Bono Projects. In addition to all students in the Civil Practice Clinic and Family and Housing Clinic who participated in the *Pro Bono* Clinics as part of their clinical work, the following law students assisted at the Pro Bono Clinics during the spring semester: **Dwight Chacko, Emily DeYoung, Amanda Byrne, Kate Foley, Alyson Fuller, Emily Hopson, Jason Judd, Makenzie Keene, Sarah Kline, Kaylee Long, Paige Lyons, Gunnison Matula, Elliott ODay, Holley Owens, Pooja Patel, Brandon Rex, Chloe Reyes, Christal Roethlein, Sania Singh, Jordana Sutton, Mary Whittington, and Julia Wisenberg.**



Congratulations Mary R. Whittington who was the recipient of the ***Elma Moreno Pro Bono Award***. This award was created in 2000 by Timothy and Daisy Floyd and is named in honor of Elma Moreno, original coordinator for the Private Attorney Involvement Program for West Texas Legal Services and current Legal Assistant/Office Manager for the TTU School of Law Clinical Programs. This award recognizes a law student whose pro bono activities best exemplify the lawyer's obligation to ensure equal access to justice. The award is currently funded by the first award recipient and managing attorney at Legal Aid of NorthWest Texas, Tamara Duncan (2000).

COMMENTS FROM OUR CLIENTS

Tiffany (Pham) was outstanding and we were very pleased with her. She made us feel so comfortable and explained everything to us that she made it easy. We need more people like her and we are going to miss her very much.

Mr. Ondo is a high achiever! Thank you so much for your help! Sincere in Christ Jesus!

I'm grateful for the time and effort by all involved. They really do care. I wasn't just a number on a tax document. Thank you Terri and Eric! You saved me a lot of white hairs on my little head.

My case was not resolved to my liking, but Frances was always professional and quick with getting information pertaining to my case. I really appreciated the work done to get my amount reduced even though that was not the case. I was very pleased with all Frances did for me.

FOR MORE INFORMATION ON THE CLINICAL PROGRAMS VISIT:
<http://www.depts.ttu.edu/law/clinics-and-externships/clinics/index.php>

CCAV HONORS LAW STUDENTS WHO ASSISTED LOW-INCOME TAXPAYERS DURING TAX FILING SEASON

2017 marked the 15th year the *Coalition of Community Assistance Volunteers* (a partner of the Low-Income Taxpayer Clinic) has administered the Volunteer Income Tax Assistance (VITA) program. An estimated 100 volunteers were certified using the online training provided thru Link N Learn which is an IRS provided training site.

As a result of the efforts of student and community volunteers a total of **2,796** families whose average income was **\$17,155** had their tax returns prepared for free at the VITA site. This saved them approximately **\$419,000** in tax preparation fees. The low income residents helped received an estimated **\$1,582,000** in Earned Income Credits and more than **\$3.3 million** in refunds were returned to families within the community.

An appreciation luncheon was held on April 28th at Skyviews Restaurant honoring all volunteers.

Law students, Tax Clinic director, and staff contributed a total of 761.4 hours and were recognized with *Certificates of Appreciation* for taking time to assist in tax preparation and the quality review process. The law students who volunteered during tax filing season included all students enrolled in the Tax Clinic, as well as the following law students:

Alicia McCullar, LeaAnn Kidd, William Peterson, Hilary Sanchez, Chet Southworth, Jennifer Wallace, and Maira Gonzalez.

Awards presented to law students included the following:



"Quality Reviewer of the Year Award" presented to Frances Tubb (Tax Clinic Student - Class of 2017);

"Site Coordinator of the Year Award" presented to Elma Moreno (Clinical Programs Legal Assistant/Office Manager); and

"Tax Preparer of the Year" presented to Aqsa Siddiqui (Class of 2017); and

"Law School Volunteer of the Year Award" presented to Adam Ondo (Tax Clinic Student - Class of 2017);

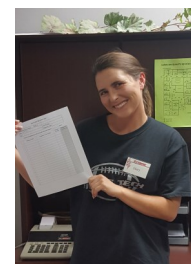


"Volunteer of the Year Award" presented to Terri Morgeson (Director of LITC) for contributing 101.05 hours.



All community partners, VITA sponsors (including the Low Income Taxpayer Clinic accepted by Clinic Director, Terri Morgeson) as well as luncheon sponsors were recognized with a plaque or certificate.

If you are interested in volunteering next year, please visit the CCAV website at:
<https://www.ccavlubbock.org/>



Thanks to all our volunteers and sponsors CCAV had another successful year!

WORDS FROM OUR STUDENTS

"The Civil Practice Clinic has exceeded all of my expectations and then some. When I started last fall, I was anxious and intimidated by responsibility that landed on my shoulders. The idea of billing, client counseling, filing petitions, drafting wills, and attending hearings was overwhelming. Over the past two semesters, however, I have truly developed my client counseling and advocacy skills. I have had the opportunity to learn from my mistakes (because you definitely make them) through hands-on experience. Fortunately, I have also had two supervisors to help me along the way—Larry Spain & Terri Morgeson. The best part about clinic is that you're not confined to your specific clinic; I have many friends in other clinics, and I've gotten to know their supervisors as well. Joining a clinic was the best decision I've made in law school, and I'm thankful to have had the opportunity to be a part of such a great program."

Tiffany Pham
Civil Clinic



"My experience in CRPDO has given me the skills and experience to zealously advocate for my clients upon graduation."

Rosalind Perez
CRPDO Clinic

"The criminal clinic has been the best experience of my law school career. It is hard to leave such an amazing place, where I learned so much and made so many great memories. There will always be a special place in my heart for the Tech Law Clinical Program."

Hilary Sanchez
CRPDO Clinic

"The experience I have gained in the Caprock Regional Public Defender Office has been vital to my education in law school. The clinic has allowed me the opportunity and privilege to represent the criminally accused while a student in law school and the experience will help me throughout my career. The Chief Public Defender, Donnie Yandell has taught, not only myself, but the rest of the students in the Caprock Public Defender clinic about how to represent a client from the beginning of the proceeding to the ultimate disposition. I will forever value the education that I was able to obtain from my experience in the Caprock Regional Public Defender Clinic."

Randy Lopez
CRPDO Clinic



"This last year has been the greatest experience of my law school career. I wish every law student were able to participate in a clinical program. It has been an invaluable opportunity to prepare me for a career in criminal defense and fighting Daddy Government."

Cole Leonard
Criminal Defense Clinic



"I am extremely grateful for having the opportunity to serve as a student attorney in the Criminal Defense Clinic. I have gained tremendous practical experience that I will now be able to apply to my future legal career. The memories that I created with everyone in the clinical program have helped make my law school experience truly special."

Ben Alonzo
Criminal Defense Clinic



"The Innocence Clinic has renewed my passion to serve disadvantaged and underrepresented members of society. When you take on a new client, you take their life and their future into your hands, and worse, you have one shot to fix it. It is an unbelievably humbling experience to learn about how our justice system sometimes gets it wrong, and it's even more empowering trying to change it for the better."

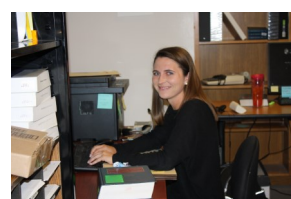
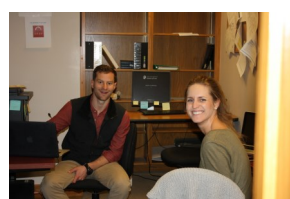
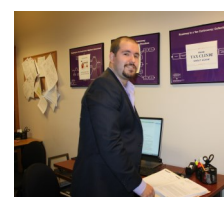
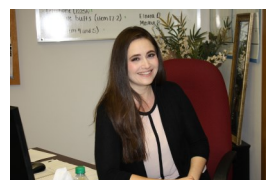
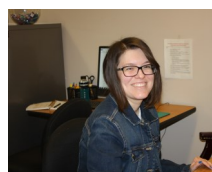
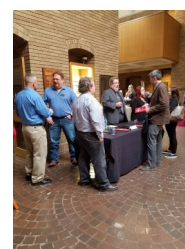
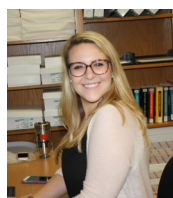
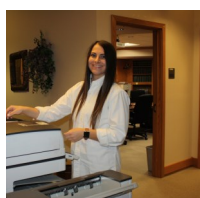
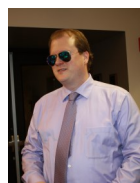
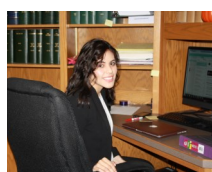
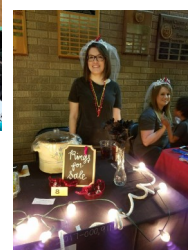
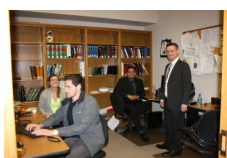
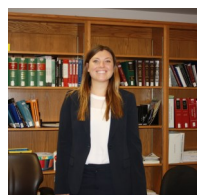
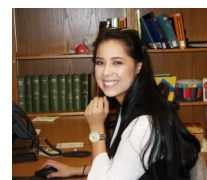
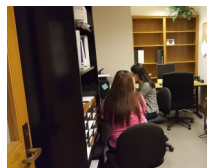
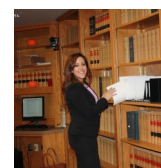
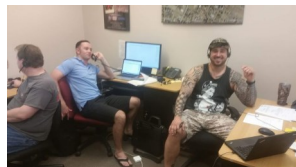
Ashleigh Hammer
Innocence Clinic



"Working in the CRPDO this year was an amazing and eye-opening experience! Every day our clients put their lives in our hands, and in turn, we work to protect their rights and fight for them. I had the privilege of working on a DWI case this year that is currently set to go to trial, but due to a Constitutional question about police officers destroying evidence, the case has the possibility of being dismissed. This year has been an invaluable learning experience for me, and I look forward to seeing what the next group accomplishes next year!"

Derek Mergele-Rust
CRPDO Clinic

Snapshot Corner



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. Metze
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

CONGRATULATIONS MAY GRADUATES!
Good luck with the Bar Exam!

***Congratulations to all students who passed the
February Bar Exam!***

Job well done!!!

CLINICAL PROGRAMS FACULTY AND STAFF



**SEARCH TTU SCHOOL OF
LAW CLINICAL PROGRAMS**

CLINIC NEWS

Spring 2017 Edition

1802 Hartford Avenue, Lubbock, Texas 79409

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