



TEXAS TECH UNIVERSITY
School of Law™



FALL 2011

CLINIC NEWS

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

TEXAS TECH UNIVERSITY SCHOOL OF LAW HOSTS 6TH ANNUAL FACULTY UPDATE SEMINAR

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After welcoming remarks from **Professor Larry Spain, Director of Clinical Programs**, and **Darby Dickerson, Dean and W. Frank Newton Professor of Law**, the faculty from Texas Tech University School of Law offered a CLE program without cost to legal services attorneys and public interest practitioners on December 1st and 2nd. Texas Tech University was the first law school in the state to offer such a program in 2005 which began after recommendations from a committee of the Texas Access to Justice Commission on how law schools can contribute to the delivery of legal services to the indigent.

Professor Larry Spain organized the program once again which showcased Texas Tech Law School's finest faculty on topics such as *Appellate Practice Basics for Public Interest Attorneys*, *Family Law Legislative Update*, *Keeping Up with the Law: Technology and Updating*, *Courthouse Morals and Legislative Developments: A Review of Recent Cases and Legislation Impacting Texas Estate Planners*, *Ethical Considerations in Managing a Public Interest Caseload: The Caprock Regional Public Defender Office as a Case Study*, *The Basics of Resolving Tax Issues for the Low-Income Taxpayer*, *Representing Third Parties in Family Law Cases*, *Give Me Your Huddled Masses Yearning to be Free, or How About All Those NIVS: Nonimmigrant Visas 101*; and *Ethical Issues with limited Scope Representation*.

In addition to their other *pro bono* and public service activities, the following members of the

Law School presented at the seminar: Professors Dustin Benham, Gerry Beyer, Charles Bubany, Bryan Camp, Larry Spain; Associate Director for Law Library and Computing E.H. Uwe Beltz; Clinical Fellow Terri Morgeson; and Chief Public Defender for the Caprock Public Defender Office Donnie Yandell. Attorney Gabriella Manolache, Managing Director of International Employment Services with the Texas Tech Health Sciences Center also participated.



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 and also webcast for attorneys across the state.

Approximately 44 individuals registered to attend the seminar either in person or via live webcast. Twenty-eight attended in person, thirteen viewed the live webcast, and only three unable to attend from those who registered. Attendees included attorneys from the Texas Attorney General's Office, Legal Aid of NorthWest Texas, Texas Rio Grande Legal Aid, Texas Tech University Student Legal Services, Cathedral Justice Project (Houston), Boat People SOS (Houston), Earl Carl Institute (Houston), Texas Access to Justice Foundation (Austin), Caprock Regional Public Defender Office, and private practice.



Thanks to all who helped make this seminar a great success!

CLINICAL PROGRAM WELCOMES NEW MEMBERS



Nicie Pratt

Adjunct Professor—Health Care and Bioethics Medication Clinic

Nicie Pratt currently serves as Vice President and Assistant General Counsel of the Texas and New Mexico region for the St. Joseph Health System of Orange, CA. Nicie resides in Lubbock, TX and works as the primary in-house legal counsel to Covenant Health System. She offers assistance on a broad range of health care and corporate legal matters including EMTALA, Fraud & Abuse, business transactions, Medicare regulations, non-profit status, medical staff matters, patient consent issues, etc. This will be her second year to co-teach the mediation class as an adjunct professor.

Before law school, Nicie began work with Covenant Medical Group in 1996 as their Business Services Manager and then Compliance Director where she created and implemented the Compliance Program, provided CME to physicians regarding coding and documentation guidelines and offered guidance regarding HIPAA and CMS regulatory compliance including fraud and abuse and false claims.

She received her Bachelor of Arts degree in Psychology from Southern Methodist University in Dallas, Texas in 1996 and her law degree from the Texas Tech School of Law in 2004. Welcome back Nicie!



Meredith Nieto

*Low Income Taxpayer Clinic Administrative Student Assistant
Community Outreach Coordinator*

Meredith Nieto is a third year law student and is a candidate for the Doctorate of Jurisprudence and Masters in Accounting (Taxation) degrees graduating in May 2012. She attended Hardin-Simmons University in Abilene, TX from 2006-2009 and obtained a BBA in Accounting. She enjoys spending time with her husband Paul and her family.

Meredith was hired to fill the part-time Low Income Taxpayer Clinic Community Outreach Coordinator position with the added responsibilities as an Administrative Student Assistant during the 2011 summer tax clinic sessions to assist Professor James with overseeing the tax clinic cases. She has been a great asset to the LITC and has assisted the LITC Clinic Director with various assignments. Welcome Meredith!



Jennifer Martin

Senior Business Assistant/Clinic Secretary

Jennifer Manwaring Martin is the secretary/receptionist for the Law School Clinical Programs. She received her bachelor's degree from Brigham Young University with a major in German Literature. Her husband is currently a law student at Tech Law, and they have been married since July 2010. Jennifer is very involved in the community and her church by teaching an early-morning Bible study class for high school students.

Jennifer has been a tremendous addition to the Clinical Programs always offering a friendly smile and willingness to assist everyone. Welcome Jennifer!

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

During the fall semester, the following students were enrolled in Professor Spain's section of the Civil Practice Clinic: **Mikela Bryant, Lilia Doibani, Tammy Fisher, Allie Hallmark, Grant Matthews, Douglas Montgomery, Elizabeth Niblo, and Isaias Solorzano**. I have been ably assisted by **Terri Morgeson**, our Clinical Fellow, who has supervised students on individual cases and is always available to students for questions and individual assistance.



Over the course of the semester, a total of 42 new client cases were undertaken,

13 cases were completed and closed and 34 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. In addition to these activities, 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 estate planning, employment, consumer matters, and VA claims.

During the semester, most of the students will have had an opportunity to complete a divorce case from beginning to end and have a final hearing held before the court. Two students, **Lilia Doibani** and **Tammy Fisher**, conducted hearings before an administrative law judge and are awaiting decisions and **Grant Matthews** represented a client before a hearings officer in a public benefits case.



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.



Pictured L to R:

Back Row: Professor Spain, Douglas Montgomery, Grant Matthews

Front Row: Tammy Fisher, Lilia Doibani, Mikela Bryant, Allie Hallmark, Isaias Solorzano, and Elizabeth Niblo

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 of for the Office of Dispute Resolution for Lubbock County.

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

This has been a very busy semester for the Family Law and Housing Clinic. First, this clinic, previously name the Civil Practice Clinic, Section 2, was given a new name. The name change was made to reflect the new focus of the clinic, which is on Family law and Housing-related cases.

This clinic has 8 students enrolled: **Leslie Collins, Michael Henry, Katy Krottinger, Susanna Meringola, Kimberly Quesada, Elizabeth Rainey, Ashley Wolf, and Christina Woods.** These students have participated in a variety of family cases involving divorce, custody, and adoption. Students have represented clients in Temporary Orders cases, mediation, and in a final divorce hearing. In the Temporary Orders hearing we had, students were able to



get temporary child support, which was much needed, awarded to a client. In another Temporary Orders hearing, the student was able to successfully obtain orders to provide the client with necessary transportation and financial support. We also had a final

divorce hearing where the student was able to successfully obtain a favorable award of the parties' assets.

Students were able to participate in several levels of discovery. There were a couple of cases where the students were able to propound and answer discovery requests, and argue motion hearings regarding these discovery requests.

Additionally, one of these students was able to represent her client in depositions of a witness.



Teaches Family Law and Housing Clinic, Negotiations, 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:

Back Row: Kimberly Quesada, Terri Morgeson, Katy Krottinger, Leslie Collins, and Susanna Meringola

Front Row: Michael Henry, Elizabeth Rainey, Christina Woods, Ashley Wolf, and Professor Wendy Ross

FROM THE DESK OF GENE VALENTINI AND NICIE PRATT HEALTH CARE AND BIOETHICS MEDIATION CLINIC

The Health Care and Bioethics Mediation Clinic is in its sixth year with a new crop of dynamic participants. In order to facilitate hands-on mediation earlier in the semester, the class “front-loaded” mediation training before the start of the semester with a five-day 32-hour intensive training program. In September, the clinic students began observing mediations and co-mediating cases at the Lubbock County Office of Dispute Resolution which continued throughout the semester. In addition to academic credit, the class participants obtain mediation credentialing at the conclusion of the semester.

This year’s Clinic included nine law students and seven guest providers from the community. In addition to obtaining mediation training, the professionals serve as co-teachers by sharing their rich experience and personal insights on health care delivery and conflict resolution. The guest providers from the Lubbock area health organizations were:

- **Wendy Grimes**, Executive Director, Garrison Geriatric Education and Care Center
- **Kevin Williams**, Associate General Counsel of Texas Tech University Health Sciences Center
- **Lonny Kane**, President and Owner, BrightStar Healthcare
- **John E. Hobgood**, LMSW, LIFE/RUN Center for Independent Living
- **Sherilyn Pharr**, RN, BSN, Case Manager, Covenant Health System
- **Wyley McCoy**, Pharm.D., Director of Pharmacy, Lubbock Heart Hospital
- **Lisa Martin**, Director of Human Resources, Grace Clinic Holdings, LLC

In addition to learning about conflict resolution, simulated mediation exercises were conducted involving delicate patient care disputes and significant bioethical issues. A number of class

sessions focused on aspects of communication, behavior, medical staff, administration, alignment of interests and other external stressors on health care delivery such as the rapid changes occurring in the health care industry, health laws, reimbursement, regulatory agencies, inability to pay, access to care and health care reform. A number of experts also visited the class for open panel discussions.

The physician panel explored how medical staff and hospital administration have a common goal of quality patient care, yet are quite autonomous and often have different interests that can lead to disputes. They also discussed how much health care has changed over the years and specifically, the various complexities and demands on the medical profession that go well beyond a physician’s medical assessment and medical decision making. Brad Snodgrass, M.D., Internal Medicine, Southwest Diagnostic Clinic; Obie Stalcup, M.D., Urologist, Grace Clinic; and Cynthia Jumper, M.D., Internal and Pulmonary Medicine, Chairman and Professor, Texas Tech University Health Sciences Center.

Cayce Kaufman, Service Excellence Coach and Patient Experience of Covenant Health System and Wendy Grimes, Executive Director of Garrison Geriatric Education and Care Center offered their own expertise regarding patient and resident relations; responding to complaints in the context of both general patient satisfaction and also regulatory or licensing procedural requirements; the factor of family dynamics; and managing disputes across a wide spectrum. There was also discussion about consumer based purchasing and how patient satisfaction now factors into certain provider reimbursement methodologies; and how resources are being devoted to mandatory data gathering and reporting that is published on the internet.

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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 nineteen 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 Spring ADR course.

A WORD FROM OUR STUDENTS

I am an advocate for people with disabilities and work with Social Security and the Health Care field on a daily basis. This clinic has given me a very good overview about how hospitals and nursing homes are structured. The mediation skills I have learned are excellent and I will again use these skills daily.

John Hobgood
Health Care and Bioethics
Mediation Clinic

For more information of the Lubbock County Dispute Resolution Center, please visit: <http://www.co.lubbock.tx.us/drc/drc.htm>

FROM THE DESK OF GENE VALENTINI AND NICIE PRATT HEALTH CARE AND BIOETHICS MEDIATION CLINIC (continued from page 5)

The case managers and nursing panel gave the students insight into their daily routine and specifically focused on their duties as being central to all communication in a health care setting, whether it be physician to patient, family to physicians, administration to physicians, nurses and staff to physicians, etc. They also discussed how they coordinate and manage disputes that arise in the course of health care delivery amongst the various relationships and how the ability to pay, patient placement and access to care is a significant factor in their daily work. **Sherilyn Pharr**, RN, BSN, Case Manager, Covenant Health System; **PJ Webb**, RN, BSN, Case Manager, Lubbock Heart Hospital; **Barbara D. Bratcher**, RN, BSN, MSN, Director of Nursing, Garrison Geriatric Education and Care Center.

Judge Ruben Reyes and **Judge Les Hatch** offered a judicial perspective regarding mediation and how it can be most effective in the delivery of health care and litigation.

In addition to hosting panelists, the class visited the Garrison Geriatric Education and Care Center where **Wendy Grimes**, Executive Director gave the class a tour of the facility and discussed dynamics of elderly care and dementia; and the type of disputes that arise in such a special setting including how the staff addresses various resident to resident matters, family to staff matters and even staff to staff matters.

We sincerely believe that this training has been worthwhile for the law students, the guest providers and the communities we serve. In addition to the wonderful networking opportunities for all involved, we are pleased that the completion of each semester produces a new "crop" of mediators that are prepared to mediate health care related disputes.



Pictured L to R:

Front Row: Gene Valentini, Judge Les Hatch (special guest), Cassie Pruski., Taylor Calhoun, Erin Garey, Juliet Azarini, John Hobgood, Sherilyn Pharr

Middle Row: James Skinner, Wyley McCoy, Wendy Grimes, Lonny Kane, Judge Ruben Reyes (special guest)

Back Row: Jessica Schneider, Marta Hoes, Mischeka Nicholson, Jennifer Kupper, Nicie Pratt

Lisa Martin and Kevin Williams (providers) are not present.

A WORD FROM OUR STUDENTS

It has been enjoyable learning a new perspective on the practice of healthcare. The different points of view expressed in the group and the challenge to put yourself on the other side of the table has been beneficial. We all realize Healthcare is complicated and challenging with an unpredictable future; with that said, the techniques gained from these discussions and instruction will definitely shape the way I practice Healthcare in the future.

Lonnie Kane
Health Care and Bioethics
Mediation Clinic

I have enjoyed the experience and opportunity to work with ADR. The skills I have learned have already helped me in my workplace with employee, families, physician practices and even insurance companies. The coursework has been interesting and the people I have met through this process, I hope to keep in touch with. I really am grateful for this time and what I have gained from it!

Wendy Grimes
Health Care and Bioethics
Mediation Clinic

My experiences with the Healthcare and Bioethics Mediation Clinic have been invaluable and will greatly enhance my future legal career. This semester I had the opportunity to mediate a variety of cases including family and civil matters. Learning how to effectively mediate will benefit attorneys in all areas of practice.

Mischeka L. Nicholson
Health Care and Bioethics
Mediation Clinic

FROM THE DESK OF VAUGHN E. JAMES — DIRECTOR, LOW INCOME TAXPAYER CLINIC

What a semester we have had! In August, nine new Qualified Student Representatives joined us to represent low-income taxpayers in our service area before the IRS and the United States Tax Court. By the end of the semester sixteen weeks later, all nine – **Amy**

Browning, Jorge Catumbela, Alvin Chang, Joshua Humphreys, Evan Jackson, Diana Le, Bradley Phillips, Jonathan Sarager, and Jennifer Sibley – had individually and

collectively clocked several hours of work in this noble cause. They have worked very hard, have served our clients well, and have had much success.

Yet, the work did not begin in August. It all began in June when we welcomed **Meredith Nieto** as our new Administrative Student Assistant and Outreach Coordinator. Throughout the summer, Meredith toiled endlessly to get our cases ready for our

incoming class of Qualified Student Representatives. As soon as the fall semester began, she switched roles from preparing cases to helping our team prepare memos, letters and other legal documents, and organizing community outreach activities to

educate the community about our existence and the services we provide. Along with the indefatigable Elma Moreno (our Office Manager), Meredith has organized three community workshops:

one at the Bridge of Lubbock, another at the Coalition of Community Action Volunteers' ("CCAV") VITA site on Avenue Q in Lubbock, and another at the Lubbock Seventh-day Adventist Church on Elgin Avenue, also in Lubbock. The latter workshop was a tremendous success, so much so that we shall return to the Seventh-day Adventist Church to conduct another workshop in January 2012.

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Teaches Elder Law, Federal Estate and Gift Taxation, Federal Income Taxation, International Taxation, Law and Religion, and the LITC.

He is admitted to practice in NY, Texas, US Tax Court, and the US District Court for the Northern District of Texas.

Outside the classroom, Professor James is very active locally, nationally and internationally. A musician and recording artist for over thirty years, Professor James still records and performs with his calypso and reggae band, *King Shakey & the Banned*. In May 2007, he was awarded the Heritage Legend Award by the University of the West Indies–Dominica Center. A graduate of the Seventh-day Adventist Theological Seminary and an ordained minister of religion, Professor James spends most weekends in pulpits in America and the rest of the world speaking on religious topics, especially as they relate to Religious Freedom, the First Amendment and the Civil Rights Act of 1964 (as amended). He is involved in various organizations, has received numerous awards, and has authored several publications.



Pictured L to R: (Back Row:) Jorge Catumbela, Alvin Chang, Bradley Phillips, and Joshua Humphreys (Front Row) Jonathan Sarager, Meredith Nieto, Amy Browning, Jennifer Sibley, Diana Le, and Evan Jackson

FROM THE DESK OF VAUGHN E. JAMES - DIRECTOR, LOW INCOME TAXPAYER CLINIC

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We hope to conduct many more workshops in 2012. We also plan to take our workshops beyond the confines of Lubbock – to Plainview, Levelland, Shallowater, Slaton and Post, for example. As usual, we shall also be volunteering at the CCAV's VITA program, where we shall prepare tax returns for low-income taxpayers. This has always been a rewarding experience; we look forward to another wonderful and educational tax filing season.

In closing, I thank Meredith, Elma, Jennifer Martin, Samirah Abdalah, and Professor Terri Morgeson, without whose assistance our Low-Income Taxpayer Clinic would have

stumbled, fallen, and broken some bones. You will all reap your rewards someday.



Thanks, also, to the nine Qualified Student Representatives who worked so hard this semester to provide this service to our community. Many of these representatives showed up during the final exams period to continue working on their

cases. Jennifer Sibley will be graduating in December and will be heading to Dallas; we shall miss her. However, we shall continue the work we started this past summer, and provide the best assistance possible to our clients and the people of West Texas.

A WORD FROM OUR CLIENTS

"I want to thank you, the other professors, and all of the students that represented me for the last two years. I am so grateful that I was referred to the clinical program, and my case was accepted. I sincerely hope I have not forgotten anyone that helped carry me through this process.....The last two years have been difficult and I know that without you and the students representing me it would have been impossible."

Again, thank you does not cover what you all deserve."

Sincerely,
T.A.R.
Tax Clinic Client
Fall 2011

A WORD FROM OUR STUDENTS

I have really enjoyed working at the Low Income Taxpayer Clinic this semester. We have been working hard and really enjoy the opportunity to provide this service to this great community.

Jonathan Sarager
Tax Clinic

The Tax Clinic has allowed me to help those who without our representation may not have been able to afford the necessary legal resources to ultimately settle their cases. Working with our clients has been a rewarding and exciting experience.

Bradley Phillips
Tax Clinic

The tax clinic has allowed me to actively participate in cases and projects that engage in two core values: delivering excellent legal services to low-income neighborhoods and working on matters that are pedagogically suitable to the clinical method, where students are given primary responsibility over their clients.

Alvin Chang
Tax Clinic

Professor Spain's civil clinic is an invaluable experience especially for those of us who want to start our own practice. Thank you Professor Spain for sharing your great advice, experience, and time!

Isaias Solorzano
Civil Practice Clinic

Texas Tech Law School Low Income Taxpayer Clinic is on

facebook



I have really enjoyed working in the civil clinic. It is very rewarding to be able to help others while learning at the same time. By working in the clinic I get to put in practice everything I learned in my other classes.

Lilia Doibani
Civil Practice 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 18th, students have handled or are handling 89 cases for 67 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 eye of Visiting Professor Terri Morgeson and the Clinic Director. Without the assistance of Ms. Morgeson, the heavy case load of the Criminal Defense Clinic would not be possible.

This semester, to date, of those 89 cases, 25 have been completed with 12 pleas of guilty and 13 dismissals - for a 52% dismissal rate. Representing clients in the Magistrate Court, two Lubbock County Courts at Law, Lubbock Municipal Court and in the District Courts of Lubbock and Hockley County are: **Meghan Graham, Jack Hawthorne, Dustin Kellar, Jessica Nevarez, Eric Painter, Roland Soto, Maritza Stewart, and Leticia Trevino.**

The class has recently agreed to represent a felony defendant in his appeal of a 50 year sentence in Hockley County. The class will collaboratively prepare the appellate brief and it is hoped one lucky student will get to argue the case in the Seventh Court of Appeals in Amarillo. Please congratulate them all for their hard work. Space does not allow an individual account of all they have accomplished in less than 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. These students have attended monthly meetings of the local organization, will attend the 31st Annual Prairie Dog Lawyer Advanced Criminal Law Seminar in January and attended the two day 9th Annual Forensics Seminar in Dallas earlier in November. As members of the State organization, all students may also attend a board meeting of TCDLA in Houston in December, New Orleans in March and the annual San Antonio Rusty Duncan Seminar in June to network with the best criminal defense lawyers from throughout Texas - and maybe land a job.

Cases currently pending include: 1 Felony Appeal, 6 Class B DWI, 2 Failure to Identify to Police Officer, 9 Possession of Marijuana <2 oz, 8 Class B Theft, 1 Class A Theft, 10 Domestic Violence Assault, 5 Criminal Trespass, 5 Driving While License Invalid, 5 Resisting Arrest, 1 Class A Assault, 1 False Vehicle Registration, 2 Possession of Dangerous Drugs, 1 Misdemeanor Application to Revoke Probation, 1 Felony Possession of Marijuana, 1 Minor in Possession of Alcohol, 3 Public Intoxication, 1 Burglary of a Vehicle, and 1 Driving Under the Influence by a Minor.

Cases already disposed of through pleas or dismissals include: 1 Class B DWI, 1 Class A DWI, 1 Failure to Identify to Police Officer, 3 Possession of Marijuana <2 oz, 3 Class B Theft, 6 Class A Theft, 4 Domestic Violence Assault, 1 Criminal Trespass, 1 Criminal Mischief, 1 Resisting Arrest, 1 Evading Arrest, 1 Misdemeanor Application to Revoke Probation and 1 Disorderly Conduct.



Patrick Metzger 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 current 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.

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 9th 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.

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FROM THE DESK OF PATRICK S. METZE

DIRECTOR, CRIMINAL DEFENSE CLINIC (continued from page 9)

As an additional advantage, during the Spring semester the students will spend 4 hours each week with one of eight different criminal defense lawyers in Lubbock rotating through each office, experiencing criminal practice by observing and by doing. Mentors for the Criminal Defense Clinic - all local attorneys practicing criminal law - are Chuck Lanehart, Danny Hurley, Dwight McDonald, Steve Hamilton, Robin Matthews, Laurie Key, Charles Chambers, and Mark Snodgrass. All mentors are members of the Lubbock Criminal Defense Lawyers Association, a financial supporter of the Texas Tech School of Law and the Criminal Defense Clinic. Just prior to the start of Fall classes, students attended a jump-start on trial advocacy presented by clinic personnel and the clinic mentors who all donated their time and talents to fine tuning the students trial skills.

We appreciate so much the dedication of time and energy our mentors provide the clinic students. Our appreciation for the continuing support of the local criminal defense bar can never be overstated.

During the course of each semester each student will spend a minimum of 220 hours representing their clients, working with their mentors and practicing law. This equates to a total time investment during each semester of a minimum of 1760 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.

A WORD FROM OUR STUDENTS

Being a part of the Texas Tech Criminal Defense clinic has provided me with the most practical knowledge I have gained while attending law school. The experiences I have had over the past semester have been invaluable in preparing me for the practice of law. Meeting and working with my clients has given me a deeper insight into the justice system and how to better serve those I have the opportunity to represent. I am extremely grateful for the opportunity to be learning the practice of criminal law while working with Professor Metzger and Terri, their guidance through this learning process is immeasurable in shaping my skills as a criminal defense attorney.

Jessica Nevarez
Criminal Defense Clinic



Pictured L to R: Jack Hawthorne, Meghan Graham, Rolando Soto, Maritza Stewart, Dustin Kellar, Leticia Trevino, Jessica Nevarez, Eric Painter, and Professor Patrick Metzger

The Texas Tech University School of Law Criminal Defense Clinic has been a great experience for me (and I really mean that) for a number of reasons. First, my job is to represent the client, and that means my job is to tell the client's story. I listen. I understand where my clients are coming from, and that helps in the resolution of the case. Second, the Criminal Defense Clinic faculty's teachings have helped me better understand how to prep cases for trial. That is because all cases must be prepared as if they are going to trial. In all, this has been a great experience that I will remember forever.

Eric Painter
Criminal Defense Clinic

FROM THE DESK OF DONNIE YANDELL

CAPROCK REGIONAL PUBLIC DEFENDER OFFICE

The Caprock Regional Public Defender Office has gotten off to a tremendous start this year. First, this summer three student attorneys joined the office to take on cases representing rural criminal defendants in Lubbock's surrounding rural counties. **Chris DeAnda**, **Cara-Beth Bass** and **Karla Vallés** represented eleven, twelve and seventeen cases respectively during their ten week summer stint. Cases included clients with multiple misdemeanors, felonies and juveniles. The students travelled to docket calls, plea negotiations, and meetings with the county judges and other officials as the first student attorney representatives of the new office. Some days, the three student attorneys were gone before dawn and not back in Lubbock until 7pm. They learned the reality of "windshield time" in a rural public defender's life. As ambassadors of the new program, each of them earned respect from the county attorneys and judges as skilled student attorneys.

In August, **Charles Blevins**, **Shannon Crenshaw**, **Liceny Espaillat**, **Tope Ogunsemi**, **Mary Porter**, **Trey Robinson**, **Patrick Sloane**, **Robert Sullivan**, and **Charles Xavier** joined the first three student attorneys and as a group, began their yearlong clinic experience. Thus far, the student attorneys have handled eighty-seven cases. Eager to make sure their rural clients are getting a fair deal, they have produced an average dismissal rate of 40%. This is great news to geographic areas that previously had dismissal rates close to zero. In fact, one of the judges in the covered area mentioned that the student attorneys have had two cases dismissed in his county, two more dismissals than he has seen since taking office!

All of the student attorneys continue to work diligently on their cases and to give their clients representation in a process that often leaves lifelong consequences. Further, they

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A WORD FROM OUR STUDENTS

My clinic experience so far has been one of the hallmarks of my law school career. I have been given the opportunity to experience first-hand cases that range from assault to possession of drugs. I've gained invaluable experience in how to approach a case, handle clients, and work with prosecuting attorneys. The lessons and experience I have learned thus far are ones that many of my peers who have graduated law school wish they experienced to be better prepared for what a lawyer really does.

Charles Blevins
CRPDO Clinic

The Caprock Regional Public Defenders Clinic has provided me with invaluable real-life legal experience that will certainly allow for an easier transition into life after law school. The classroom can only offer a student so much; the clinic experience takes our legal education to a higher level. Helping our clients resolve a legal matter fills us with a sense of satisfaction that can rarely be found elsewhere.

Xavier Charles
CRPDO Clinic

Being a part of the first group of student attorneys of the Caprock Regional Public Defender Clinic is an honor that I will forever cherish. So far this opportunity has been great practice experience; but more importantly, it has reinforced my belief that our criminal justice system needs more attorneys who are in this fight for the principle and not the money.

Liceny Espaillat
CRPDO Clinic



Pictured L to R:

Back Row: Liceny Espaillat, Charles Blevins, Carah-Beth Bass, Cynthia Mendoza, Karla Vallés González, Xavier Charles, and Patrick Metze

Front Row: Trey Robinson, Donnie Yandell, Pat Sloane, Shannon Crenshaw, Mary Porter, Tope Ogunsemi, Chris DeAnda, Robert Sullivan, and Lesley Nall Washington

FROM THE DESK OF DONNIE YANDELL

CAPROCK REGIONAL PUBLIC DEFENDER OFFICE (continued from page 11)

are playing an important role in changing the *pro se* culture of the rural justice system in our region.

As you may be aware, the office started accepting clients in January of this year starting from ten counties spread across northwest Texas. The original counties included: Armstrong, Briscoe, Cottle, Dickens, Floyd, Kent, King, Knox, Motley, and Stonewall Counties. In the past few months we have added Hardeman, Swisher, Garza, Dawson, Collingsworth, and Gaines Counties. This brings the total number of counties the office represents to sixteen!

Patrick Sloane, with Shannon Crenshaw as second chair, is currently scheduled for a jury trial in Garza County on January 16, 2012.

Karla Valles and Mary Porter potentially have a jury trial coming up soon after resuming classes. This is a true test of their education while here at the Texas Tech School of Law and not something that happens often for a 3rd law student. Wish them luck!

Finally, in the coming semester, we hope to increase our caseloads and streamline the office. Considering this is the first semester for the clinic/public defender's office, the student attorneys have done an amazing job and have worked hard to represent the poor in the surrounding communities. It is a testament to these student attorneys, the Texas Tech School of Law and Texas Tech University that they have committed such time and energy into such a worthy cause.

A WORD FROM OUR STUDENTS

Clinic has been a wonderful opportunity not only to help apply the law that we have been so busy studying these past two years, but in that our interaction with seasoned professionals from around the community helps us to further understand the quirks of the profession. Each prosecutor, each D.A., all their support staff, have a different way of doing things: the unwritten rules that you simply learn by doing. By engaging the students early, we can avoid many of those pitfalls that could potentially harm our clients in the future.

Robert Sullivan
CRPDO Clinic

The Caprock Regional Public Defender Clinic (CRPDO) has provided me with a great hands-on learning experience. The CRPDO clinic allows me to get a head start on what practicing law is like. I have the chance to serve the indigent clients of the Caprock Region, which includes 16 countries. This clinic has also given me the chance to work with different attorneys and county judges of very different backgrounds.

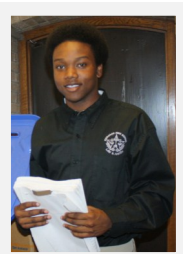
Tope Ogunsemi
CRPDO Clinic

The Caprock Regional Public Defender Office really does allow you to practice law in the small counties around Lubbock. You will be able to interview clients, negotiate with county attorneys, research, write memos, and, of course, go to court. I recommend it for those that are passionate about advocacy and justice for those that are traditionally unrepresented.

Karla M. Vallés González
CRPDO Clinic

Clinical Program Continues to Provide Preceptorship to Estacado High School Law and Justice Magnet Program

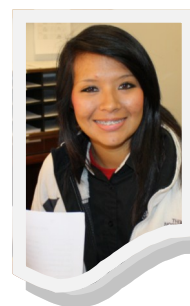
Estacado High School Law and Justice Magnet Program students were very helpful to the clinical programs during the Fall semester. Students assisted Professor Ross with a



scanning project and assisted Elma Moreno with preparation for the faculty update seminar. In addition, they also assisted with other administrative and clerical duties. The students who completing their rotation this semester were **Anthony Robinson**, **Kiante Harris** (pictured above), and **Raquel Lopez**. (pictured on the right)

The preceptorship in the clinical program is the continuation of a partnership between the School of Law and the Estacado High School Law and Justice Magnet Program which intends to provide additional educational resources and help guide students toward their goals of attending law school.

Elma Moreno worked closely with the students and the program instructor, Lucio R. Trevino, to make the preceptorship rotation visits a learning and helpful experience.



THANKS TO FACULTY AND STUDENTS SUPPORTING PRO BONO

Thanks to the following faculty members who participated in *Pro Bono* Clinics held in conjunction with Legal Aid of NorthWest Texas during the fall semester of the 2011-2012 academic year: **Associate Dean and Professor Arturo Torres** (2 clinics), **Professors Dustin Benham** (1 clinic), **Gerry Beyer** (2 clinics), **Jarod Gonzalez** (1 clinic), **Wendy Humphrey** (1 clinic), **Vaughn James** (1 clinic), **Elizabeth Kronk** (1 clinic), **Patrick Metze** (3 clinics), **Brian Shannon** (1 clinic), **Robert Sherwin** (3 clinics), **Larry Spain** (6 clinics), and Law Librarian **Eugenia Charles-Newton** (2 clinics).

The Law School faculty co-sponsored two *Pro Bono* Clinics held at St. John's United Methodist Church during the month of September and assisted with three *Pro Bono* Clinics during the fall semester organized by the Student Public Interest Initiative (SPII) and Family Law Society. In addition, all

students in the Civil Practice Clinic and Family Housing Clinic participate in the *Pro Bono* Clinics as part of their clinical work. In addition, the following students from the Student Public Interest Initiative and Family Law Society assisted at the *Pro Bono* Clinics during the fall semester: **Aleida Villareal, Lauren Serrano, Mary Carlson, Trey Robinson, Erin Garey, Eugenia Newton, Marc Cain, Megan Fescenmeyer, Rachel Aguilar, Brad Parkin, Cassandra Hernandez, Hallie Rideout, Kaitlyn Luck, Kent Hansen, Mathew Daws, Alix Dean, Andrea Farkas, Brittany Paxton, Joshua R. Avelar, Kathleen Ahghar, Katie Olson, Keegan Etheredge, Kyle Crowl, Taylor Darby.**

If you are interested in participating in a future *Pro Bono* Clinic, contact Elma Moreno, elma.moreno@ttu.edu or Larry Spain, larry.spain@ttu.edu for more information

*Selection process for Clinical Program will be held in mid-February for the 2012-2013 academic year!
Watch for announcements in late January and visit the clinic website for more information.*

A WORD FROM OUR CLIENTS



"Tammy Fisher is a true professional and was a joy to work with. If all Tech students are this good the world is going to be a much better place!!!"

"It is my pleasure to have been represented by such a wonderful attorney! Larry Spain must be an excellent professor because Tammy Fisher is the most excellent upcoming attorney! I was blessed to have both of them – Thank you! Go Tech!"

M.G.
Civil Clinic Client

WHERE ARE THEY NOW?

Clint Buck (Innocence Project of Texas 2010-2011) is in Midland working for Jeanne Morales, Attorney, and involved primarily in the social security and bankruptcy departments.

Ezra Kuenzi (Advanced ADR – Spring 2011) is currently in Fort Worth working for Kelly, Hart, & Hallman in their Labor and Employment section.

Will Williams (Criminal Defense Clinic 2010-2011) is working at the Bowie County Public Defender's office.

Sondet Parnell (Innocence Project of Texas 2010-2011) is currently volunteering for Judge McFarland in the Harris County Civil Courthouse- 133rd District Court.

Matthew Kendall (Advanced ADR Clinic - Spring 2011) has been assisting individuals with asylum claims and conducting immigration appeals to the Board of Immigration Appeals since taking the BAR. He plans to continue this work. He is located in Brownsville, TX. Eventually, he hopes to appeal negative immigration determinations to the 5th Circuit Court of Appeals.

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 seeking volunteers to assist with the tax season around the corner.

The *Coalition of Community Assistance Volunteers* is asking that you consider volunteering your time and talents to prepare and e-file income tax returns FREE for low income taxpayers in our community.

For more than 20 years Tech Law students have played an important role in the community by serving as volunteers for the Volunteer Income Tax Assistance program. CCAV who oversees the VITA project is asking that you consider volunteering your time and talents to prepare and e-file income tax returns **FREE** for low income taxpayers across the South Plains. Last year our volunteers enabled more than 2,736 taxpayers to save approximately \$410,000 in unnecessary tax prep and rapid refund loan fees, while bringing more than \$4 million in refunds into the local economy.

Volunteers are needed to prepare basic individual income tax returns on an easy-to-use computer software program. Volunteers are trained by CCAV members and IRS employees, and enjoy protections under state and federal Volunteer Protection Acts. Since students leave for the holiday break, we ask that you take the on-line training and testing

provided through the IRS Website at <http://www.irs.gov/app/vita/index.jsp> (Link N Learn Taxes Course);

While volunteer Tax Preparers may choose to train and test at three different levels (Basic, Intermediate and Advanced), they are **only required to train and test at the Basic and Intermediate levels.**

We hope you'll choose to participate with us during the upcoming tax season which runs from January 17th thru April 16th by volunteering 4-6 hours of your time per week. If you are interested and you were unable to attend the information session, please feel free to contact me at elma.moreno@ttu.edu if you have any questions or if you would like to pick up a packet.

Please note that, since our volunteers handle so much confidential information, a new policy has been implemented requiring that a criminal background check be performed on each volunteer. Of course, this will be done at no cost to you.

Again, if you are willing to assist in the preparation of simple tax returns, and help make a difference in our community, we are in need of your help. Please contact me in the clinic offices at 742-3787, Ext. 222, or by sending an e-mail to elma.moreno@ttu.edu.

WHERE ARE THEY NOW?

Lindsay Canning (Tax Clinic 2010-2011) is doing contract work at the O'Quinn Law Firm in Houston. She volunteers for the Houston Volunteers Lawyers Program (HVLV) the first Saturday of every month at their legal clinics. She is also on the Consumer Task Force Committee for the Houston Bar Association which focuses on helping low income individuals receive legal aid in consumer matters.

Jennifer Wertz (Civil Practice Clinic 2010-2011) is clerking for a bankruptcy judge, Judge Mott, in Austin.

Robert Shaun Rainey (Civil Practice Clinic 2010-2011) is currently working at Cotton, Bledsoe, Tighe & Dawson in Midland.

A WORD FROM OUR STUDENTS

Clinic has been the best experience of my law school career by far. No other class or organization has given me the opportunity to receive valuable, hands-on, real world experience all while being able to help some very deserving clients. Participating in the Clinical Program was my one "goal" for law school and it has been a great opportunity so far.

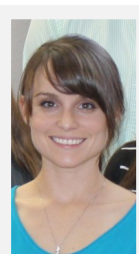
Mikela Bryant
Civil Practice Clinic

For more information on becoming a volunteer for the Volunteer Income Tax Assistance, please visit: www.freetaxprep4u.org, call 687-2228 or email **Elma Moreno at elma.moreno@ttu.edu**

RECENT CASES OF INTEREST

After a hearing before an administrative law judge, our 60 year old client with a torn rotator cuff, colon and prostate cancer, Crohn's disease and arthritis was found disabled and eligible for social security disability benefits. He received \$18,338 in retroactive benefits and \$840/mo. in continuing benefits. **Steven Boening ('11)** had represented the client before graduation.

Mikela Bryant, supervised by **Terri Morgeson**, brought an enforcement proceeding on behalf of a disabled client whose former husband was in arrears in the payment of spousal maintenance in excess of \$8,600. After a hearing before the court, the Respondent was found in contempt of court, sentenced to confinement in the Lubbock County Jail which was suspended upon the condition of timely payment of future spousal maintenance and an additional amount to be applied to the arrears. A Motion to Modify to extend the spousal maintenance for as long as her disability continues has now been filed and will be considered through a separate hearing.



After nearly two years, the Appeals Council entered an Order Reversing and Remanding for a further hearing before an administrative law judge a disability claim involving a 58 year old individual with bipolar and post-traumatic stress disorders. Several students have worked on the case over the past 3 1/2 years, including **Susan Watson ('10)**, who wrote the brief to the Appeals Council. While the case was pending before the Appeals Council, the client re-applied for benefits and was approved for disability benefits. As a result, on remand, the issue will be her entitlement to benefits from her original alleged onset date and the date her disability benefits were established.

Jennifer Sibley (Tax Clinic) represented a taxpayer claimed her great-nephew as a dependent, and also claimed the Earned Income Tax Credit ("EITC") on his behalf. The Internal Revenue Service ("IRS") denied the EITC claim upon the ground that the taxpayer had not provided sufficient evidence to prove the great-nephew had lived with her for the requisite period. Accordingly, the Service issued a Notice of Deficiency for over \$5,000 (including penalties and interest).

The Low-Income Taxpayer Clinic was able to assist the taxpayer in providing the necessary evidence to support the EITC claim. The United States Tax Court reversed the IRS and held that the taxpayer did not owe any income taxes, penalties or interest for the year in question.

Joshua Humphreys (Tax Clinic) represented a taxpayer in a complex case. Taxpayer claimed that over a 12-year period her husband had fraudulently filed tax returns for the couple. She sought the Clinic's help in obtaining Innocent Spouse Relief for the period in question and for protection from future tax liabilities because of her husband's conduct.

The Internal Revenue Service granted the taxpayer Innocent Spouse Relief and rejected her husband's filings. The taxpayer then filed as "married filing separately" for the 2010 tax year. The Service accepted her new filing status. The Family Law clinic is handling the taxpayer's divorce from the husband who saddled her with a huge tax liability.

Jennifer Sibley (Tax Clinic) assisted a taxpayer in settling a case in Tax Court. Four years ago, the taxpayer's husband sold a business entity and earned significant profits thereby. He failed to report this gain as income on the joint tax return he filed for himself and the taxpayer. The taxpayer maintained that she was unaware of her husband's fraudulent behavior. Moreover, she said, whenever she questioned him about the legality of what he was doing reference the tax returns, he heaped abuse upon her. The abuse became so bad that the taxpayer once sought relief at a Women's Shelter.



Two years ago, the taxpayer filed for Innocent Spouse Relief. The Internal Revenue Service initially granted the relief, but then reversed itself when the husband appealed arguing that the taxpayer knew or should have known of the manner in which he prepared and filed the couple's tax returns. The Service set the taxpayer's liability at over \$130,000.

The taxpayer sought the assistance of the Low-Income Taxpayer Clinic to petition the United States Tax Court to reverse the Service's determination. The case was set for trial in early October, with the trial scheduled to take place in the Don Hunt Courtroom here at Texas Tech University School of Law. The day before the trial began, the Service and the Low-Income Taxpayer Clinic (acting on behalf of the taxpayer) settled the matter. The settlement set the taxpayer's liability at \$65,000 instead of \$130,000. Because the taxpayer is unable to pay this amount, on December 7, 2011, the Low-Income Taxpayer Clinic proposed an Offer in Compromise to the Internal Revenue Service, seeking a further reduction of the taxpayer's liability.

A WORD FROM OUR STUDENTS



The clinic has been an excellent experience for myself and everyone I have worked with. We are learning how to function in the real world as an attorney and can get silly mistakes and habits taken care of before we are on our own. I am looking forward to our second semester of clinic practice so that we can continue getting better at advocating for our clients.

Jack Hawthorne
Criminal Defense Clinic

The Caprock Regional Public Defender Clinic offers much more than an opportunity to gain firsthand knowledge and real world training as an attorney. It has given me the chance to provide legal assistance and help to the poorest people in our communities. While helping these people I've gained an incredible amount of knowledge about negotiating with prosecutors, interviewing witnesses, conducting discovery, and creating reasonable doubt. By the start of my spring semester, I will be first chairing a jury trial for a class A misdemeanor. The process of preparing and conducting such a trial is an experience many attorneys never encounter, and I'll have done it before I am done with law school! The clinic has been an overwhelmingly positive experience, and after everyday at the office, I am confident that I have just made myself a better attorney.

Patrick Sloane
CRPDO Clinic



Being a participant in the Criminal Defense Clinic has been an amazing experience for me. I have been afforded such an extraordinary opportunity to learn the law first-hand. The experience I have received through the clinic is a huge benefit to both my academic as well as legal career. It has been one of the most enjoyable experiences of my law school career. The staff and professors have been extremely helpful and are always helping us reach the next level. I am very proud to have been a part of such a wonderful experience as well as a part of such a great group of future attorneys.

Roland Soto
Criminal Defense Clinic

I thoroughly enjoyed this clinic. The collaboration between the students and the professionals was a very positive experience. I

learned a lot that I can apply to my own career regarding facilitating agreements. I'm really glad I participated!

Sherilyn Pharr, RN, BSN, Case Manager
Covenant Medical Center
Health Care and Bioethics Mediation Clinic

Being a part of the Family Law and Housing Clinic has, undoubtedly, been one of the most rewarding experiences I have had during my time at Texas Tech University School of Law.

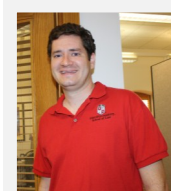
The Clinical Program has not only allowed me to gain insight and experience by practicing the theories and concepts that I have learned in class, but has also provided me with the opportunity to see the impact that we, as attorneys, may have in the lives of others. I am reminded on a daily basis of the significance that our services have on our clients. The free services offered by this program allow the financial and emotional strains of legal concerns to become more manageable.

We have a wonderful staff of mentors who are instrumental in teaching us all what it takes to be successful in the real world of legal practice. I feel honored to have been a part of this esteemed group of individuals.

Leslie Collins
Family Law and Housing Clinic

The Civil Practice Clinic has turned out to be a fantastic learning experience for me this fall. Throughout the semester I have written two wills, handled a Veterans Affairs issue, worked on a Social Security Disability claim and completed my first divorce case. In class I have learned some law, but in the clinic I am learning how to be a lawyer. I look forward to another successful semester in the spring and know that when I begin applying for jobs I will have plenty of war stories to tell that will boost my marketability to potential employers.

Douglas Montgomery
Civil Practice Clinic



A WORD FROM OUR STUDENTS



When I started law school I was sure that I wanted to be a prosecutor. I wanted to protect the innocent and put away the criminals. But after reading cases and learning the law I had a change of heart. I realized that law enforcement and prosecutors are not always interested in justice. What kind of law was I going to practice now? I had no idea.

The clinic application deadline was getting closer; did I want to try to get into one? I decided that it would be good practical experience and make me more marketable to potential employers. I decided to apply for the criminal defense clinic. I was nervous about making it in. After the initial excitement of being accepted wore off, the apprehension crept in. This was real; it was no longer just reading theory or cases that had already been decided. I was going to be practicing law, dealing with real clients and district attorneys. What if I wasn't good at it? What if I messed up a case? This was someone's future that I was dealing with. But once the nerves wore off and I got some clients I realized that I could do this.

The clinic has been a rewarding experience for me. I am learning how to deal with clients and how to work a case from beginning to end. It has also helped build my confidence. I now feel that I have chosen a career that I will love. I am helping people. Most of the time our clients aren't bad people, they just make bad decisions or are in desperate situations. I have felt more passion and excitement this past semester than I ever have before in law school. I am doing something that I enjoy and trying to make a difference in my clients' life. It can be stressful at times but it is also rewarding to learn what practicing law is really going to be like. The clinic has given me the confidence to know that no matter what the future holds I will be able to tackle any challenges that I may face.

Leticia Trevino
Criminal Defense Clinic

When Texas Tech Law School introduced this new criminal defense clinic, I jumped at the opportunity. After working in over eighty rural counties in Texas during and after undergraduate school, I understand the importance of county government is in the vast majority of the state and how few attorneys make their living in these areas. My background, combined with my love of criminal defense work, lead me to apply for a position as one of three students hired to get the new clinic off the ground during the summer before its full opening. As one of those three students, I

had the opportunity to meet and discuss the need for a regional public defender office to most of the county judges and attorneys in the Panhandle. This public relations aspect of my experience in the clinic allowed me to gain insight into the everyday issues county officials consider when making decision and to act as a spokesperson for Texas Tech Law School and its clinical programs as a whole. I cannot think of a more valuable learning experience in the entirety of my law school career than that of my time as a student attorney in the Caprock Regional Public Defender Office. The development of my skills as an attorney in six short months brings me more confidence in my decision and ability to practice law than any class ever could. I could not imagine graduating from law school and beginning my career without this experience. The supervising attorneys on the staff provide an invaluable resource in their years of experience and seek to build individualized mentor relationship for each student. I sincerely believe that my supervising attorneys will remain as mentors to me for the rest of my career and for that, I am thankful. Practicing law as a student attorney in the Caprock Regional Public Defender Office is challenging, fun, and rewarding. Every day is a new adventure and working with clients makes me feel that I truly make a difference in their lives, as well as the region as a whole.

Carah-Beth Bass
CRPDO



I decided last year that I wanted to do the clinic because I wanted a practical learning experience. Throughout most of law school you're taught theories and ideas, but you're never taught how to actually be a lawyer. I was tired of learning how to write essays and I wanted to learn how to handle a case, where to file documents with the court, and how to interact with clients. That's why I decided to do the clinic. The clinic has afforded me the opportunity to get a real life work experience, while still providing me with support from our supervising attorneys. After just a few months of working in the clinic I started feeling more comfortable about my future as an attorney. No matter what happens after law school I know that I'll always be able to handle my own as a criminal defense attorney.

Dustin Kellar
Criminal Defense Clinic

SNAPSHOT CORNER

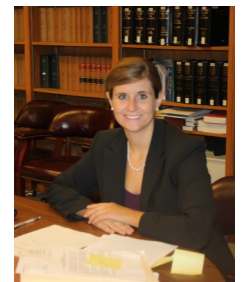
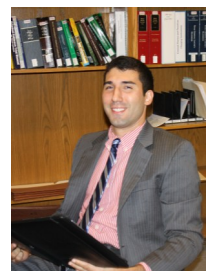
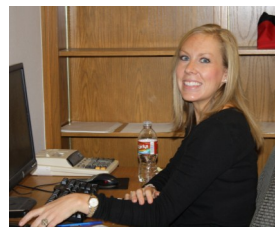
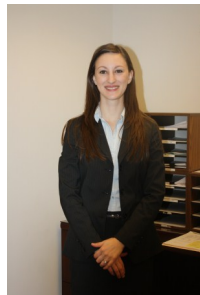
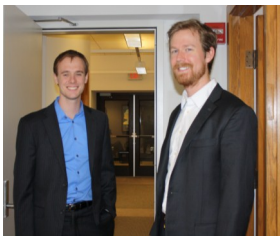
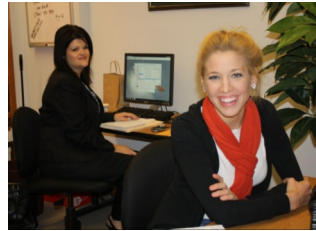
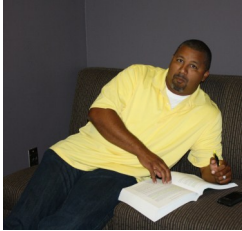
Tax Clinic Students Conduct Workshops in the Community



Civil Practice Clinic and Family Law/Housing Clinic Students Participate in Divorce Night Court



SNAPSHOT CORNER



CLINIC DIRECTORS:

Larry R. Spain
Civil Practice Clinic
Advanced ADR Clinic

Wendy Tolson Ross
Family Law and Housing
Clinic

Vaughn E. James
Low Income Taxpayer Clinic

Patrick S. Metze
Criminal Defense Clinic
Capital Punishment Clinic
Caprock Regional Public
Defender Clinic

**CO-DIRECTORS/
INSTRUCTORS:**

Gene Valentini
Adjunct Professor
Health Care and Bioethics
Mediation Clinic
Advanced ADR Clinic

Nicie Pratt
Adjunct Professor
Health Care and Bioethics
Mediation Clinic

Terri Morgeson
Clinical Program Fellow

Donnie Yandell
Chief Public Defender
Caprock Regional Public
Defender Office

STAFF:

Elma Moreno
Office Manager/
Legal Assistant

Lesley Nall Washington
Director of Operations and
Communications Caprock
Regional Public Defender
Office

Meredith Nieto
LITC Administrative Student
Assistant/Community
Outreach Coordinator

Jennifer Martin
Clinic Secretary



FROM

FALL 2011

CLINICAL PROGRAM FACULTY AND STAFF

Not Pictured: Nicie Pratt



CLINIC NEWS

Fall 2011 Edition

1802 Hartford Avenue, Lubbock, TX 79409 - (806) 742-4312