



# CLINIC NEWS

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

## TEXAS TECH UNIVERSITY SCHOOL OF LAW HOSTS 13TH ANNUAL FACULTY UPDATE CLE PROGRAM AND TEXAS TECH LAW LIBRARY TECHNOLOGY CLE

FALL 2018

### INSIDE THIS ISSUE

From the Desk of Larry Spain	2
From the Desk of Larry Spain and Gene Valentini	3
From the Desk of Wendy Tolson	4
From the Desk of Patrick Metze	5
From the Desk of Donnie Yandell	6-7
From the Desk of Terri Morgeson	7
From the Desk of Allison Clayton	8
LITC Community Outreach	9
Faculty & Students Support Pro Bono	10
Halloween Competition	10
Where are They Now?	10-11
CCAV Seeks VITA Volunteers	11
Words from Our Students	9, 12-13
Snapshot Corner	14-15
Faculty and Staff	16



In addition to their other *pro bono* and public service activities, the following members of the Law School faculty presented at the **13<sup>th</sup> Annual Texas Tech Law School Faculty Update for Legal Services Attorneys, Public Interest Practitioners & Pro Bono Attorneys** which again this year was combined with the **Texas Tech Law Library Technology CLE** and held October 25-26, 2018 during National Pro Bono Week: **Jamie**



**Baker, Dustin Benham, Charles Bubany, Allison Clayton, Wesley Cochran, Marin Dell, Alyson Drake, Jared Gonzalez, Sally Henry, Dwight McDonald, Nancy Soonpaa, Larry Spain, and Donnie Yandell.**

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 offered live at the Law School with 40 attorneys registered and was recorded for later viewing for interested attorneys.

Thanks to the law firm of **McWhorter, Cobb & Johnson** for sponsoring the cost of obtaining CLE approval from the New Mexico MCLE Department and to **The Overton Hotel and Conference Center** for sponsoring the breakfast.



Finally, thank you to **Lisa Harden**, Executive Director for the Lubbock Area Bar Association, **Catherine Galloway**, Texas Access to Justice, and **Kristi Ward**, Lubbock LawNotes editor, for their assistance in promoting the event.

## CLINICAL PROGRAMS WELCOMES NEW STAFF MEMBER

Clinical Programs welcomed Guadalupe "GG" Gurrola in July 2018, as a Senior Business Assistant. Guadalupe (aka GG) is originally from Arizona and came to Texas in 2010 with her husband and four children then added one more. While attending the Paralegal Studies Program at South Plains College she began volunteering at Legal Aid of NorthWest Texas assisting with their pro-bono clinics. GG was

later hired as a legal assistant at LANWT and continued volunteering and helping for the next couple of years. She enjoys learning more about the legal field and seeks continued legal education when provided. She now joins the staff of Nancy Mojica, Elma Moreno, and Irma Shepler who retired (very well deserved) the end of June 2018 but returned part-time with CRPDO, on August 1st.



Pictured L to R: Irma Shepler, GG Gurrola, Elma Moreno, and Nancy Mojica

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

During the fall semester, nine students were enrolled in the Civil Practice Clinic: **Kiley Aycock, Darrian Matthews, Megan McIntyre, Elliott O'Day, Kyle Reding, Christal Roethlein, Blake Scott, Eduardo Sosa, and Spencer Young.** One of the students, **Kyle Reding**, will be graduating in December and we wish him well on the bar exam and his future professional career. In addition to directing the Low Income Taxpayer Clinic, **Terri Morgeson**, has worked closely with each of the students, been available for questions and individual assistance, supervised them on individual cases, and accompanied them during court appearances. And, of course, **Elma Moreno** and **Guadalupe Gurrola**, have provided valuable administrative support for the students during their work in the Clinic.

Over the course of the semester, a total of 35 new client cases were undertaken, 11 cases were completed and closed and 51 cases remain open and will be carried over to the spring semester.

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

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



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

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

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



Pictured L to R:

Back Row: Eduardo Sosa, Blake Scott, Kiley Aycock, Spencer Young, Elliott O'Day, and Professor Spain

Front Row: Christal Roethlein, Megan McIntyre, and Darrian Matthews

(not pictured: Kyle Reding)

CONGRATULATIONS KYLE REDING!

GOOD LUCK WITH YOUR FUTURE  
ENDEAVORS!



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

Eighteen students participated in the Advanced ADR Clinic during the Fall Semester: **John Casper, Amanda Sparks Coburn, Garrett Coppedge, India Fender, Angel Gutierrez, Addison Kirk, Jesse Kizewski, Matthew Marquez, Laurie Means, Matthew Morris, Spencer Nealy, Jodee Rankin, J. Riggs, Grace Steinhurst, Alesha Walker, Andrew Walston, Phillip Wildman, and Hilary Wilkerson.**

The semester began with four full days of mediation training during the week before classes began for the fall semester. Successful completion of this course qualifies as 40 hours of classroom instruction in dispute resolution training for court appointment as an impartial third party under Chapter 154 of the Texas Civil Practice and Remedies Code.

During the semester, students had the opportunity to initially observe experienced mediators conducting mediations before serving as a co-mediator or solo mediator in a variety of disputes through the Office of Dispute

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

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

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



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

### WORDS FROM OUR STUDENTS:

"My experience with the Alternative Dispute Resolution Clinic has taught me skills I never could have learned in a classroom. The most important skill I have learned over the course of the semester is how to manage different personalities in one room. This is a critical skill lawyers must have, whether they are working with other attorneys preparing for a trial or working to close a multi-million dollar deal. I am so glad I decided to apply for the clinic so that I could get this great experience during my 2L year!"

Hilary Wilkerson  
ADR Clinic



Pictured L to R:

Back Row: Gene Valentini, John Casper, Phillip Wildman, Hilary Wilkerson, Spencer Nealy, Jesse Kizewski, J. Riggs, and Grace Steinhurst

Front Row: India Fender, Andrew Walston, Matt Marquez, Laurie Means Garrett Coppedge, Matt Morris, Jodee Rankin, Alesha Walker, Professor Larry Spain, and Angel Gutierrez



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

This has been a great semester where we had a variety of family law cases and other cases. The students in the clinic this semester are: **Ashley Cossio, Kaylee Long, Paige Lyons, Emily Montoya, Maria Oviedo, and Pooja Patel.**

We have had several family law cases this semester. We had 10 divorces with children, 11 divorces without children, and 2 enforcement cases. A few of the divorces with children resulted in settlements, where the parents ended up with an agreement for the benefit of the children involved. We had a name change case to change the surname of the child to match the father.

This semester has been the semester of adoptions. We have a record number of adoption cases this semester. We have 4 termination and adoption cases we are working on. One of these cases involves a stepparent adoption. Two of these involve a third-party adoption, and the other adoption involves a grandparent adoption. This adoption case where the maternal grandparents were seeking to adopt the grandchildren they had been raising since the children were infants.



This semester also we had 4 housing cases. Most of these involved repairs cases. One student represented the tenant in a case where the property owner had not made the repairs to heater in over a year. The tenant and his family had been suffering through the cold weather. We were able subpoena the City of Lubbock Code Inspector to the hearing. The student was successful in getting the Court to order the property owner to repair the faulty heater. Additionally, we had a utility case and a couple of cases that involved constructive eviction. In one of the constructive eviction cases, we were able to successfully terminate the tenant's lease. This particular case involved a Military Veteran who was living in a rat-infested apartment that was causing the client to be sick.

This year we were able to participate in Judge Ann-Marie Carruth's Community Court. Four students: **Ashley Cossio, Emil Montoya, Maria Oviedo, and Pooja Patel** participated in mock simulations. In these simulations, students performed different eviction simulations to an audience, who consisted primarily of property owners and property managers. The students did a great job and we are very proud of them!!!



Professor Wendy Tolson Ross is currently teaching Family Law and Housing Clinic.

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:

Standing: Professor Ross, Emily Montoya, Kaylee Long, and Paige Lyons

Sitting: Maria Oviedo, Ashley Cossio, and Pooja Patel



## 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. This semester the students have handled or are handling 106 cases for 84 different clients. Students handle all phases of representation from initial interview through appearance in Court. The responsibility of representation falls entirely on the clinic students' shoulders under the ever watchful eyes of the Clinic Director and Clinic Fellow, Dwight McDonald. This semester, of those 106 cases, 36 have been completed with 12 pleas of guilty and 24 dismissals for a 66% dismissal rate. These 106 cases represent 78 misdemeanors and 28 felony charges – a very ambitious docket. Representing clients in the Magistrate Court, two Lubbock County Courts at Law, and in all three criminal District Courts of Lubbock County are: **Brianna Argueta, Kasey Chester, Matthew Johnson, Makenzie Keene, Mitchell Leonard, Brittany Scee, Ellen Sorrells, and Ted Wenske.** Please congratulate them all for their hard work. Space does not allow an individual account of all they have accomplished in 4 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 Texas Criminal Defense Lawyers Association (TCDLA) and the Lubbock Criminal Defense Lawyers Association. Networking with criminal defense lawyers is just one advantage of membership in these organizations. In October, all criminal clinic students attended a two-day seminar in Austin on forensic science at the invitation of TCDLA and a grant provided by the Court of Criminal Appeals. The students are also set to attend the 39th Annual Prairie Dog Lawyer Advanced Criminal Law Seminar next semester at the Law School, all free of charge. During the course of each semester, each student will spend a minimum of 200 hours representing their clients in addition to a two hour seminar support course held once a week. This equates to a total time investment during each semester of a minimum of 1600 hours of pro bono representation for the clinic clients. The Criminal Defense Clinic is proud to represent the indigent citizens of the South Plains by court appointment only and plays its part in the Law School's commitment to providing quality, ethical representation to the poor while educating each student of the importance of such work.

*"Because of Clinic, the advantages that I will have over my fellow graduates is exponential. Essentially, those of us in Clinic will have a year of practice under our belts and will be ready to enter the real world - without having to deal with the learning curve of turning legal concepts into the reality of law practice."*

*Ted Wenske  
Criminal Defense Clinic*



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

He received a Bachelor of Arts from Texas Tech University and his Doctor of Jurisprudence from The University of Houston. He was admitted to practice in the State of Texas on April 29, 1974, celebrating this year 44 years in the practice of law. Prior to joining the faculty, he was one of only 14 attorneys qualified for appointment as first chair in Capital Murder cases in the 45 counties of the 9<sup>th</sup> Administrative Judicial Region and the only attorney in Lubbock who was qualified and solicited appointments to indigent clients for misdemeanors, juveniles, felonies, death penalty cases, and appeals in all courts.

### Pictured L to R:

Professor Metze, Brittany Scee, Ted Wenske, Kasey Chester, Mitchell Leonard, Ellen Sorrells, Brianna Argueta, Matthew Johnson, Makenzie Keene, and Dwight McDonald



## FROM THE DESK OF DONNIE YANDELL

### CAPROCK REGIONAL PUBLIC DEFENDER OFFICE

The first semester of the 2018-2019 Caprock Regional Public Defender Clinic is almost complete. This year's student attorneys are: **Tashika Curlee, Allyson Fuller, William Harrell, Melissa Reyes, Logan Sawyer, Rees Scruggs, Alexandra Taylor** and **Kelton Vongonten**. So far this year the student attorneys have handled 104 cases. 29 of those cases have been felonies, 71 have been misdemeanors and four have been juveniles. So far, the student attorneys have closed nine felonies, 17 misdemeanors and two juveniles.

The student attorneys represented clients in all manner of cases including Driving While License Invalid, Driving While Intoxicated, Criminal Trespass, Possession of Marijuana, Possession of a Controlled Substance, Failure to Identify, Interference with a 911 Call, Theft by Check, Burglary of a Habitation, Fleeing, Evading Arrest, Domestic Violence Assault, Injury to the Elderly, Terroristic Threat, Manufacturing/Delivery of a Controlled Substance, Possession of a Dangerous Drug, Credit/Debit Card Abuse, Unlawful Carrying of a Weapon, Resisting Arrest, Aggravated Assault, Accident Involving Injury, Burglary of a Building, Burglary of a Motor Vehicle, Tampering with Evidence, Obstructing the Highway, and Reckless Driving.

The Caprock Regional Public Defender Office successfully prosecuted a Writ of Habeas Corpus wherein a client was being illegally detained in jail prior to his being officially charged by indictment with a felony crime. After a short hearing requesting the client's bond be lowered

to a personal recognizance bond, the trial court judge refused to grant the client a personal recognizance bond and the office appealed to the Court of Appeals in Amarillo. The Court of Appeals agreed with the office's interpretation of the law and remanded the case to the trial court for rehearing based on its ruling. The trial court granted a personal recognizance bond shortly thereafter.

All of these students have done an excellent job and have worked a lot of hours, often on their own time, in an attempt to represent their clients to the best of their abilities. This is reflected in the results they have obtained for their clients. The Chief Public Defender was recently told by a client who was incarcerated at the time that the Caprock Regional Public Defender Office was known in the jail as one of the best two criminal defense attorneys in the area. Defendants who were appointed to the office were considered lucky.

Due to the student attorneys' hard work for their clients, they have earned the respect of not only their clients, but also the respect of the courts and prosecution offices in the area. This reputation for zealous representation of indigent defendants has resulted in the Caprock Regional Public Defender Office being added to the Terry County appointment list in August of this year for misdemeanor appointments. Terry County joining the program brings the total number of counties up to eleven.

(continued on page 7)



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

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

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



Pictured L to R:

Back Row: Professor Metze, Dwight McDonald, William Harrell, Logan Sawyer, Kelton Vongonten, Alexandra Taylor, and Donnie Yandell

Front Row: Rees Scruggs, Allyson Fuller, Melissa Reyes, and Tashika Curlee



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

The Low Income Tax Clinic continued their tradition of helping the taxpayer of Lubbock County and the surrounding areas. The students enrolled in the clinic were **Peyton Cannedy, Andrew Craven, Paige Foster, Stephanie Grissom, Alexa-Rae Grattan, Michael Hirsh, Mason Leal, Cassandra McGinnis** and **Holton Westbrook**. This semester, we attended Tax Court where we assisted with the representation of a pro se litigant. We also successfully petitioned the tax court to allow a grandmother to claim her grandson. The IRS was requesting she repay over \$5000 she received in refunds. For an elderly woman living off of social security and a part time fast food job, repaying over \$5,000 to the IRS would be impossible. The interest on the liability would be greater than the payment.

We were also successful in settling cases directly with the IRS. We filed an examination appeal for a married taxpayer. His tax preparer filed

using the status of head of household even though he was married. Since the IRS knew he was married they froze his refund and audited two years of returns. We were able to amend the returns and force the IRS to release his refunds. The amount of refunds he received for each year was equal to half of his total annual income. Taxpayer receiving these large refunds has a positive impact not only the taxpayer but also the local economy.

A new trend in tax controversy are private debt collectors. We represent two taxpayers whose cases have been assigned to private debt collector companies. Stay tuned for more information on these controversial companies. As the semester closes, Payton Cannedy graduated. We look forward to next semester where students will prepare tax returns through VITA and learn all the changes to the tax code. With all of the changes to the 1040 and the tax code filing season is going to be a bumpy ride.



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

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

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

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



Pictured L to R:

Terri Morgeson, Stephanie Grissom, Paige Foster, Cassy McGinnis, Alexa-Rae Grattan, Mason Leal, Holton Westbrook, Michael Hirsh, Peyton Cannedy, and Andrew Craven

## FROM THE DESK OF DONNIE YANDELL

CAPROCK REGIONAL PUBLIC DEFENDER OFFICE (continued from page 6)

Additionally, this reputation for zealous advocacy resulted in the District Judge for Terry and Yoakum County approaching two student attorneys and the Chief Public Defender, Donnie Yandell, at the Terry County Courthouse recently about taking felony appointments in his court. This is extremely exciting considering the rough road the office has had to travel since its inception almost eight years ago and the hesitation most district court judges have shown concerning "students" handling felony cases in

their court.

In closing, I would like to say that this year's student attorneys have big shoes to fill considering the student attorneys who have come before, and I feel they are more than worthy of the challenge. The student attorneys are about to take a well-earned break from school and the Caprock Regional Public Defender Clinic but they will be ready to hit the road running come January. Have a great winter break!



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

Each of the Innocence Clinic's four outstanding students carry a caseload of between five and seven cases; each case involves a mountain of work; and, of course, each student does work of an exceptional caliber. It is therefore impossible to represent this work fairly in a short column. Students in this year's clinic are: **Joelle Gonzales, Stephen Grant, Weston Mumme, and Megan Soliz.**

As a broad overview, we currently have litigation pending in one case, with additional litigation on the horizon in at least two more. Litigation is exciting because it takes years of work to get to the point of being able to take a case to court. Litigation is a reflection of the Clinic's growth since its inception three years ago, as this year's class continues to build upon the work of its predecessors.

Our cases, most of which deal with homicides, are fascinating. They involve sometimes bizarre facts and usually even stranger witnesses. Right now, however, we have an abundance of cases involving false forensic science testimony. We have cases implicating arson, shaken baby

syndrome, hair comparison, and bite-mark science, all of which are fields of forensic science that have been thrown into serious doubt in recent years.

Oftentimes, our work takes us off campus. Over the course of this semester we took a total of four trips for casework. During our trips, we sat in on court hearings, met with our clients in prison, discussed cases with experts, and met with district attorneys to negotiate. One of the most exciting things we experienced was walking our client, Ed Ates, out of prison after 20 years of wrongful incarceration. Another exciting moment for us this semester was obtaining a complete expungement for Jesse Griffith. Jesse was exonerated less than a year ago, and his expungement put an end to a decades-long nightmare. In a small party, we helped Jesse finally put to rest his wrongful conviction from so many years ago—an incredible experience for everyone involved.

The Clinic eagerly anticipates the adventures awaiting it in the new year.



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

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

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



Pictured L to R:

Standing: Stephen Grant, Professor Metze,  
and Weston Mumme

Sitting: Megan Soliz, Allison Clayton, and Joelle Gonzales

### WORDS FROM OUR STUDENTS:

*"I applied to Texas Tech School of Law because of the Innocence Clinic. The fact that I get to be part of it is a dream come true. Our work is grueling, both mentally and emotionally, but Allison Clayton is an excellent mentor. We could not ask for a more superior leader. I will forever cherish my experiences in this clinic and will continue to donate my time throughout my career to this cause."*

Joelle N. Gonzales  
Innocence Clinic



## LOW-INCOME TAXPAYER CLINIC COMMUNITY OUTREACH

by Nancy Mojica, Community Outreach Coordinator



After moving into a new office on the second floor and getting situated for the fall semester, it all seemed like a whirlwind after that. It was a super busy semester with tons of outreach before the winter and holiday

months. I traveled to Andrews, Cochran, Crosby, Dawson, Dickens, Floyd, Gaines, Garza, Hale, Hockley, Lamb, Lubbock and Lynn Counties. I accomplished direct and in-direct outreach of our program brochures and posters to a wide variety of taxpayers, businesses and social agencies in hopes of awareness of what our program has to offer. I encountered quite a bit of people along the way. Some happy and some not too happy, but all very pleasant after speaking with them. I attended numerous resource fairs and participated in a bit of public relations with other agencies in our program service area. I recreated our English and Spanish LITC



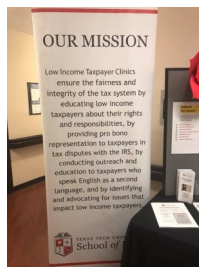
Posters to include pull tabs at the bottom of each poster to make them more accessible to our taxpayer community.

I look forward to continue my outreach activities after the Christmas and New Year's Holiday. By then the 2019 tax season will commence and I will be in full



force promoting our program throughout our 87 county service area. It is a tall order, but it can be done. I will also be working on a new list for our LITC Educational Videos. These LITC videos will be shown on a continuous screen at the Volunteer Income Tax

Assistance (VITA) Program to educate taxpayers about their rights and responsibilities. The VITA site will begin preparing federal income taxes by the end of January 2019 and continue through April 15, 2019.



## RECENT CASES OF INTEREST:

### Chase Price ('18)

represented a 27 year old client with congenital heart disease (Tetralogy of Fallot) who was found disabled retroactive to May 30, 2014 under a listing of impairment through the testimony of an expert witness. The client was received a monthly award of \$349.67 and \$30,286.22 in retroactive benefits. More importantly, she will now be entitled to medical benefits that will enable her to receive a medically necessary surgery that she had been unable to have because of the lack of insurance coverage.

**Meg McIntyre** represented a 63 year old woman in a contested final hearing for divorce after a 40 year marriage that had been pending for three years under temporary orders that were very favorable financially to the wife. In the final divorce, the wife was awarded the marital home with husband responsible for paying the balance of the mortgage, her retirement account, and permanent spousal maintenance.

## WORDS FROM OUR CLIENTS

*"John did a great job! He was very helpful and nice and courteous. He kept me informed and explained well. I wish him the best in his career. I would also like to thank the Tax Clinic for helping people like me who cannot afford exorbitant fees to get help. Please continue the good work!"*

*"Thank you so very much for your service. It is and was very comforting knowing I was not facing the horrors of the IRS along. Terri and Alex were extremely helpful. I could not have made it without them. They were very*

*knowledgeable and very comforting knowing they have the expertise."*

*"Mr. Alex Pennetti would return my calls of questions even if he was not in town."*

*"Paige Lyons did a great job."*



## THANKS TO FACULTY AND STUDENTS SUPPORTING PRO BONO

Thanks to the following faculty who assisted at *Pro Bono* Clinics held in conjunction with Legal Aid of NorthWest Texas during the fall semester: **Dean Jack Nowlin** (1 clinic), **Professors Wes Cochran** (2 clinics), **Cassie Christopher** (1 clinic), **Wendy Ross** (2 clinics), **Brie Sherwin** (1 clinic), **Larry Spain** (6 clinics). **Law Library Faculty Jamie Baker** (1 clinic), and **Marin Dell** (1 clinic); and **Clinic Faculty Dwight McDonald** (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 as well as assisting with three *Pro Bono* Clinics during the fall semester that are co-sponsored by student organizations and law students. In addition, all

students in the Civil Practice Clinic and Family and Housing Clinic participate in the *Pro Bono* Clinics as part of their clinical work. In addition, the following law students assisted at the *Pro Bono* Clinics during the fall semester:

**James Aaron, Teofilo Aguirre, Neely Brown, Patricia Cabrera, Emily DeYoung, Colleen Gallagher, Hailey Hanners, Teralyn Hurwitz, Lena Kios, Cassy McGinnis, Katherine McKinley, John Moore, Skyler Parks, Chloe Shrode, Deidre Stratton, Aubrey Stutler, Sheena Teague, Barclay White, Harrison Wier, and Travis Yandell.**

If you are interested in participating in a future *Pro Bono* Clinic, contact **Elma Moreno**, [elma.moreno@ttu.edu](mailto:elma.moreno@ttu.edu) for more information.

## WHERE ARE THEY NOW?

**Ruby Boone** (Civil Practice Clinic— May 2018) is practicing law in Cuero, Texas, with the law firm of Anderson, Smith, Null & Stofer LLP. She has also been recently recognized by the Supreme Court of Texas for her commitment to *Pro Bono* while in law school.



**Deniz Kadirhan** (Criminal Defense Clinic '14) is practicing criminal law in Austin, Texas.

**Abbey Coufal** (Tax '18) is an associate attorney at Sprouse, Shrader, Smith PLLC in Amarillo, Texas, whose practice focuses on wealth planning with an emphasis on drafting wills, trusts, probating estates, and real estate matters.

**Ryan Mitchell** (Civil '18) is currently working in Dallas as a real estate attorney, focusing on commercial real estate acquisitions, dispositions, and development of retail, multifamily, office buildings, and mixed-use projects for land owners, investors, and developers.

## THIRD ANNUAL HALLOWEEN COMPETITION

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



Thanks to **Bryan Camp, Alyson Drake, and Frank Ramos** for taking time out of their busy schedule to judge the competition! Congratulations to all!



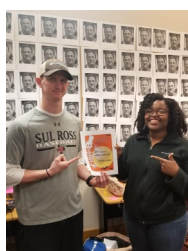
**TAX CLINIC—**  
1st Place and Best All around decorated office



**FAMILY LAW/HOUSING CLINIC—**  
2nd Place and Best Haunted Office



**CIVIL CLINIC—** 3rd Place



**CRPDO CLINIC—**  
4th Place and Most Creative



**CRIMINAL DEFENSE CLINIC—**  
5th Place



**INNOCENCE CLINIC—** 6th Place and Best Legal Themed Office

## 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 continue to seek volunteers prior to the holiday break to assist with the tax season around the corner.

An information session was held on November 10th and was very well attended. A two hour training session was held on November 27th and attended by students with an interest in helping during tax filing season. As a result of the meeting and in addition to the tax clinic students who have assisted for several years, several students have completed volunteer commitment forms!

The LITC Clinic Director, Terri Morgeson, the LITC Community Outreach Coordinator, Nancy Mojica, and myself serve on the CCAV Board and are committed to volunteering during the tax filing season.

It's not too late to sign up to volunteer! The *Coalition of Community Assistance Volunteers* asks that you consider volunteering your time and talents to prepare and e-file income tax returns FREE for low income taxpayers in our community. Tech Law students have played an important role in the community by serving as volunteers for the Volunteer Income Tax Assistance program for many years. Last year our volunteers enabled more than 2,846 taxpayers to save approximately \$426,900 in unnecessary tax prep and rapid refund loan fees, while bringing more than \$4 million in refunds into the local economy.



Volunteers prepare basic individual income tax returns on an easy-to-use computer software program and enjoy protections under state and federal Volunteer Protection Acts. Hours also qualify for law-related pro bono hours to meet the graduation public service requirement.

CCAV asks that law students **train and test at the Advanced Level**. Training and testing must be done on-line.

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

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

We hope you'll choose to participate with us during the upcoming tax season which runs from January 22nd thru April 15th by volunteering 24 hours of your time per week. Not too late to volunteer if you are interested, please feel free to contact me at [elma.moreno@ttu.edu](mailto:elma.moreno@ttu.edu) if you have any questions or if you would like to pick up a packet.

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

## WHERE ARE THEY NOW!

Kelsey Robbins (CRPDO '14) was sworn in by Judge McDonald. She is working with the Colorado Public Defender Office.



"It has been around six months since I graduated Tech Law. Six months since I had the privilege of walking into the clinic office as a student attorney for CRPDO. Before graduating, I accepted an offer to work as a Deputy Public Defender for the state of Colorado. While I don't officially start work until January, I was invited to the annual Public Defender conference in Snowmass Village, CO. If you haven't seen Snowmass, google it. It's breathtaking. There I witnessed PDs, both new and seasoned, supporting each other, motivating each other, and acknowledging each others' hard work and accomplishments. I am so very excited to join such an awesome justice league. I know that when I walk into the office on day one with an average caseload of about 180 cases I will have confidence that would not exist but for my participation in Tech Law Criminal Clinics. I am forever grateful for the invaluable year I spent with Donnie, Pat, Dwight, Irma, Elma, and my awesome clinic-mates."

Kelsey Robbins  
Class of 2018

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





## WORDS FROM OUR STUDENTS

"The criminal defense clinic offers real experience. After my first jail visit I was hooked."

Mitch Leonard  
Criminal Defense Clinic

"Being involved in the Civil Practice clinic was absolutely a highlight of my law school career. Being able to provide a helping hand to our clients in their time of need served as a constant reminder of why we do what we do. Many thanks to Professor Spain and the rest of the Clinical Team for helping make my dream of becoming an attorney come to fruition."

J. Spencer Young  
Civil Practice Clinic

"The clinical program allows law students to apply classroom knowledge to real-world problems. Through the tax clinic, I was able to "practice" specifically the role of a transactional lawyer for my clients under the guidance of our clinical director, Terri. The entire experience adds tremendous value to the life of a law student before they graduate and go to work."

Peyton Cannedy  
Tax Clinic

"I am blessed to be able to be in the Civil Practice Clinic. I have learned a lot that I would not have learned from reading casebooks, such as how to effectively communicate clients and how to file a petition for divorce, and how to prepare for hearings or trials. As a result, I believe I am more prepared for actual legal work than I would have been if I did not participate in the Civil Practice Clinic."

Elliott O'Day  
Civil Practice Clinic

"The tax clinic provided me the opportunity to interact with clients before practicing law. I gained professional skills in interacting with clients and I better understand how to prioritize client issues. Tax clinic furthered my education in an atmosphere where "learning by doing" is at the crux of the curriculum."

Holton Westbrook  
Tax Clinic

"Being a student attorney in CRPDO has truly been an invaluable experience. I have learned more than I thought was possible and have been challenged and rewarded in ways I did not imagine at the outset. Donnie provides excellent guidance, while also pushing you to be confident in your decisions and training you to work on your own. This has been my favorite experience in all of law school!"

Alex Taylor  
CRPDO Clinic

"Law school is not 'fun' in any sense of the word; the clinic however, is a blast! Participating in the clinic finally gives you the chance to do what you've spent all your time and money on the last few years: be an attorney. The CRPDO clinic has allowed me to help people in the criminal justice system, which is the main reason why I came to law school."

Logan A. Sawyer  
CRPDO Clinic

"Clinic has been the most rewarding experience of my law school career. I am finally able to put what I've learned into practice and will feel so much more confident upon entering my first job."

Darrian Matthews  
Civil Practice Clinic

"Working in the Caprock Regional Public Defender Clinic has been an amazing experience. I learn more working in the clinic than I ever have sitting in a classroom. Not only am I learning about criminal law, I am also developing important skills that will be valuable to me after graduation. Clinic allows me to learn how to negotiate, counsel clients, navigate the courtroom, and so much more. Additionally, clinic has helped me learn how to effectively work with others in a group setting."

Allyson Fuller  
CRPDO Clinic

"I have been on the investigative hunt to ensure the Innocence Clinic has all the pertinent records over my clients. At the start of the semester, I inherited several cases with incomplete case files. Throughout the process of procuring essential documents, I have been able to determine the most persuasive avenues to pursue in proving my clients' innocence. At the start of next semester, the rubber will truly hit the road in several of my cases as I begin the writ-drafting process."

Stephen Grant  
Innocence Clinic

"My experience as a member of the Criminal Defense Clinic has been my number one absolute favorite part of law school! I get to apply everything I've learned in the classroom, learn the law by practicing it, and use my critical analysis skills and creativity to come up with solutions. Most importantly, I get to do what brought me to law school in the first place- to help others, to use my voice to represent those without one or those whose voices society refuses to hear."

Brianna E. Argueta  
Criminal Defense Clinic

## WORDS FROM OUR STUDENTS

"The Alternative Dispute Resolution Clinic was a great experience. The most challenging, yet rewarding part, was learning how to handle the issues that trouble the parties to a dispute. Mediation is a very important process that, if done correctly, can resolve a law suit to the benefit of both parties."

Jesse Kizewski  
ADR Clinic

"It is an honor and a privilege to be a part of the Caprock Regional Public Defenders Clinic. Under the guidance of our incredible Professors I have learned more than I ever imagined. The hands on experience that the Clinic provides is unmatched. From start to finish you are handling cases and dealing with real clients. Whether it is negotiating with a prosecutor or zealously advocating on your clients behalf in the court room, you will find it here. I am grateful to have mentors like Professor Yandell, Professor Metze, and Professor McDonald who give you the tools and the confidence that prepare to you be practice ready the moment of graduation. In addition, your classmates become lifelong friends. It is a humbling and very rewarding experience to get some justice for the people who need it the most."

Thank you Professor Metze, Professor Yandell, and Professor McDonald for the opportunity of a lifetime. I can't wait for next semester."

Will Harrell  
CRPDO Clinic

"The Criminal Defense Clinic has been an amazing experience this semester. I've learned a lot about the value of showing our clients that they aren't alone, and that someone is on their side standing up for them. Getting this hands on experience in practicing law so early on has been invaluable."

Ellen Sorrells  
Criminal Defense Clinic

"Thus far, my experience in the Innocence Clinic has been rewarding, challenging, and eye opening. I don't think I've ever felt such high-highs or low-lows as I've experienced in clinic. While post-conviction work can be an emotional rollercoaster, Allison is an amazing professor, person, and friend and has walked us through the entire process. I wouldn't trade this experience for anything."

Weston Mumme  
Innocence Clinic

"The Criminal Defense Clinic has taught me more lessons within this first semester than I could have imagined. I not only gained real world experience in the courtroom but also learned how to face complex situations I've never experienced prior to my time in clinic. I learned that listening to someone's story and telling

their story to the prosecutor can change our client's lives. Most importantly, by working closely with clients who are at their most vulnerable, I've learned what kind of lawyer I am capable of becoming."

Brittany Scee  
Criminal Defense Clinic

"Being selected to participate in a criminal defense clinic is one of my greatest accomplishments at Tech Law. This program generates practice ready defense lawyers, and not much more needs to be said."

Keltin VonGonten  
CRPDO Clinic

"The CDC is providing me with the real-world, nuts and bolts knowledge to practice criminal defense. As much as I love studying about different aspects of the law in my other classes, actually navigating the legal system is not something you can get from a textbook. I feel much more prepared and confident about my abilities because of my participation in the Clinic."

Matthew Johnson  
Criminal Defense Clinic

"Tax clinic has been a great experience so far because I am learning how to interact with clients and manage a real caseload. Terri has helped me every step of the way so I am never on my own. Clinic experience is invaluable and I feel better about entering the legal profession with my improved organization and client interaction skills!"

Paige Foster  
Tax Clinic

"Being in the Caprock Regional Public Defender's Office has been the highlight of my law school career. I have learned an invaluable lesson in how to be a zealous advocate while also fostering good relationships with prosecutors, county attorneys, and judges. I know that my clinic experience will put me in a much better position to practice law in the future."

Tashika Curlee  
CRPDO Clinic

"The Criminal Defense Clinic has been a way to apply all the theoretical concepts I have learned in my classes to real clients. I enjoy the hands-on aspect of clinic and the opportunities to speak with clients, handle caseloads, and interact with court staff. The Clinic has given me more practical experience than I could have wished for in a law school setting."

Kasey Chester  
Criminal Defense Clinic

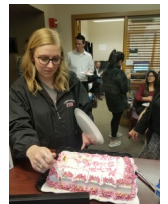
# SNAPSHOT CORNER



*Selection process for Students Interested in Participating in the Clinical Programs during the 2019-2020 academic year will begin in late January! Mandatory Information Session is scheduled for January 23, 2019—Lanier Auditorium! Watch for announcements in January and visit the clinic website at <http://www.law.ttu.edu/acp/programs/clinical/> for more information!*



## SNAPSHOT CORNER



More pics can be found by visiting our Facebook page!

Search TTU-School-of-Law-Clinical-Programs!

**CLINIC DIRECTORS:****Larry R. Spain**

Director of Clinical  
Programs  
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  
Innocence Clinic

**INSTRUCTORS:****Allison Clayton**

Innocence Clinic

**Dwight McDonald**

Criminal Defense Clinics

**Terri Morgeson**

Civil Practice Clinic

**Gene Valentini**

Adjunct Professor  
Advanced ADR Clinic

**Donnie Yandell**

Chief Public Defender  
Caprock Regional Public  
Defender Office

**STAFF:****Elma Moreno**

Office Manager/Legal  
Assistant

**Guadalupe Gurrola**

Senior Business Assistant

**Irma Shepler**

Legal Assistant for CRPDO

**Nancy Mojica**

LITC Community Outreach  
Coordinator



**FROM THE**  
**FALL 2018**  
**CLINICAL**  
**PROGRAMS**  
**FACULTY AND**  
**STAFF**



**CONGRATULATIONS TO ALL WHO PASSED THE JULY BAR  
AND  
DECEMBER GRADUATES!!**



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3311 18th Street

Lubbock, Texas 79409

(806) 742-4312