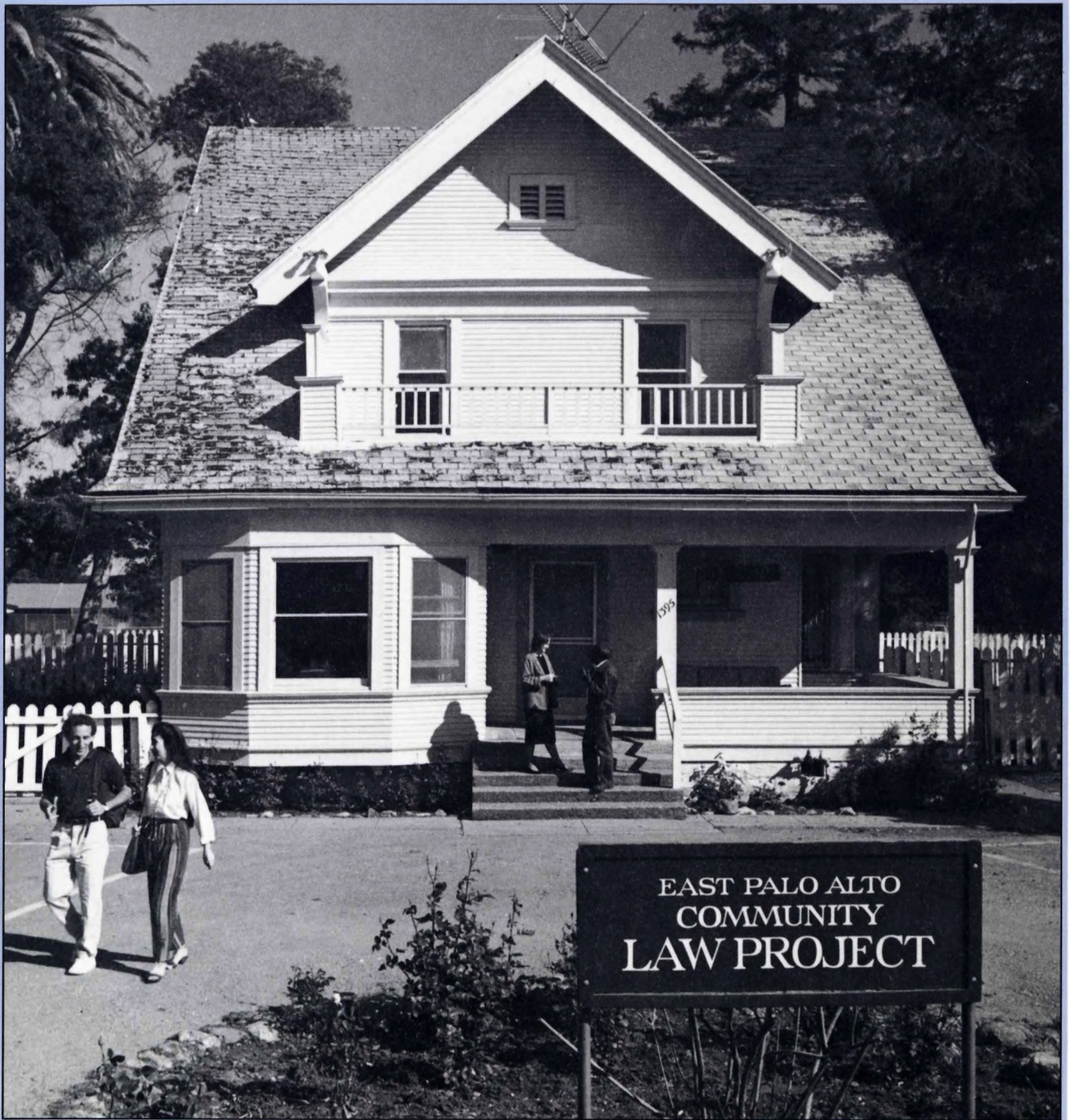


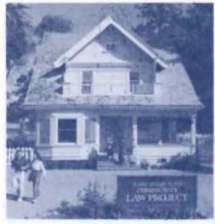
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Total Justice / Community Law Project / Children / World Court / Alumni/ae Weekend



by Steven Dinkelspiel '85 and Peggy Russell '84

Something remarkable has happened at Stanford Law School. A group of students — working with the School's encouragement but without its financial support — has established a law office in the lower-income area across the Bayshore Freeway. Named the East Palo Alto Community Law Project, the office is designed not only to provide much-needed legal services to a neighboring community, but also to expand the legal training and experience available to Stanford law students.

The Project has emerged in the two years since its opening as a major influence in the life of Stanford Law School. Fully a third of the student body is now involved, whether through Law School classes taught in conjunction with the office, *pro se* clinics staffed by student volunteers, community education programs, or Project administration and fund raising. And on November 25, 1985, the Law faculty accepted the favorable report of its EPACLP Evaluation Committee and recommended unanimously that the School help ensure the Project's continuation by providing significant fund-raising assistance.

"The East Palo Alto Community Law Project is good for the citizens of East Palo Alto, good for our students, and good for the School," Dean Ely said recently. "It adds diversity to our student body and to our curriculum. And it

further our efforts to make students aware of the need for and rewards of public interest, *pro bono* work. It's a terrific asset."

Many individuals and organizations participated in the development of the Community Law Project, including Law School administration, faculty, and staff, East Palo Alto community members, and the Project's professional staff. All agree, however, that the Project has from the beginning been essentially student inspired and student driven. The key element has been four years of hard work — mostly extracurricular — by committed students from several Law School classes.

What motivated the student founders to take on this challenge? How did their dream of a community law practice become a reality? And what benefits do participating students derive from the Project?

The Kernel of the Idea

The idea of establishing a Stanford-linked community law office in East Palo Alto grew out of lunch-time conversations in 1981 among a small group of second-year students committed to public service. These friends had come to Stanford with such diverse work backgrounds as agricultural assistance in Western Africa, refugee resettlement in Southeast Asia,

and community organizing in the San Francisco Mission District, and were eager to continue community work during law school and eventually as lawyers.

To these students, Stanford — for all its excellent academics, accessible faculty, and bucolic setting — had little contact with the social and political issues of the "outside world." Although the Law School had developed an excellent classroom clinical teaching program, this was limited to role playing and simulation exercises. The curriculum then had just one course involving real-life clients: Professor Michael Wald's Juvenile Law. The only other way students could gain academic credit and legal experience with "real people" was by leaving campus for a semester-long externship.

"We started talking about what we would like to do and how it could work," recalls one of the original group, Cynthia Robbins '83. "East Palo Alto immediately became the focus of our planning." Located only five miles away from the Stanford campus, East Palo Alto was in 1981 a diverse and dynamic community of 18,000 with a burgeoning political consciousness. Residents, the majority of whom were black, Hispanic, or Asian, were becoming increasingly well-organized and vocal, with efforts coalescing primarily around the drive to incorporate as an independent city.

Socially and economically, however, East Palo Alto and adjacent eastern

Menlo Park (population: 2000) continued to suffer from a host of problems endemic to low-income communities: severe unemployment, an alarming school dropout rate, poor housing conditions combined with skyrocketing rents, and mounting difficulties in getting and retaining government benefits. At the same time, East Palo Alto had in 1981 only two local lawyers, and many residents could not afford to pay the legal fees. Those residents who qualified for federal legal services had to travel several miles away to Redwood City for counsel, where they often found federal cutbacks meant there were no legal aid lawyers to help.

"It just hit us over the head," says Jim Steyer '83. "Here were two seemingly disparate but naturally paired communities. One with 20,000 people but virtually no lawyers or legal services. The other a school with all kinds of legal

expertise but no community-based clinical program." What better way to link the two than with a Stanford-affiliated law office in East Palo Alto? It was a compelling idea. After checking with key East Palo Alto leaders to see whether legal services were indeed needed and wanted (they were), the students decided to try to make the idea a reality.

Selling the Idea to Others

Laying the groundwork proved to be a difficult task. The students had little conception of the organizing involved in starting a law practice. Furthermore, they were not at all sure how to convince the various constituencies about the importance of the effort.

The students first appealed to members of the faculty. A strong core of supporters quickly emerged, including Paul Brest, William Simon, Jack Friedenthal (now Associate Dean for Academic Affairs), Barbara Babcock, Michael Wald, and Miguel Mendez. Impressed by the students' enthusiasm, these professors provided encouragement, advice, and in some cases, academic credit (for an analysis of needs and the development of a plan for setting up a community practice).

Among themselves, however, faculty members expressed doubt about the student group's ability to involve the larger

student body or to carry through with such an ambitious plan. Several professors remembered the closure in the sixties of a county legal aid branch office with which the School had been involved. "I was worried about undertaking a major project without knowing what the funding sources would be," recalls Friedenthal. "I didn't want anything to be started that couldn't be finished." Another reason for caution was that the School was in 1981-82 between deans.

In the Spring of 1982 the students decided to forge ahead on their own. Naming themselves as directors, they incorporated the "East Palo Alto Community Law Project" as a nonprofit agency. Two of their number sped to Sacramento on the last filing day with papers prepared by the book. When these didn't quite match the Secretary of State's requirements, the students made hasty changes on a typewriter borrowed from the Secretary's secretary. "It took a while for the adrenalin to settle," recalls Stephane Atencio '83. "But we got what we wanted — legal standing for a project that had previously existed only in our minds and hearts."

The students were also working that spring with faculty advisers on developing an academic focus for the proposed Project. "The possibility of truly integrating the theory side with the practice side was exciting, and something that had not really been done elsewhere," says



BRYAN MCGINNIS '87

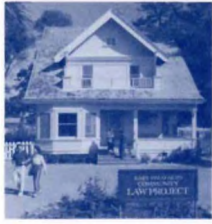


JO ANN COUPAL

A going concern: Staff attorney Francisco Lobaco meets with a client.

Classroom-clinic interaction: Students studying Immigration Law with Visiting Associate Professor Bill Hing also work in the Project's Immigration Clinic.

The Making of a COMMUNITY LAW PROJECT



COMMUNITY LAW PROJECT

Brest (now the School's Kenneth and Harle Montgomery Professor of Clinical Legal Education). Sample syllabi were developed for a variety of courses that could be taught in conjunction with the practice. Some Project organizers also planned to continue developmental work on the Project as part a new Poverty Law course being developed for Autumn 1982 by Professors Brest and Simon.

In the fall of 1982 – armed with the fruits of their research and with the backing of key professors – the student advocates descended on the office of John Ely, the new Dean of the Law School. They were delighted to find Ely (a former attorney with San Diego Defenders, Inc.) both interested and supportive. Although he did not feel able during the first weeks of his tenure to endorse the idea of affiliating the Law School with an as yet unformed community law office, the Dean did tell the students that he personally found the idea to be a good one. He decided to issue a challenge: if the students could raise enough funds to operate an East Palo Alto law office for two years, and if the faculty then felt that the Project offered important opportunities for academic and professional training, the School would formally associate itself. With this affiliation would come a commitment from the School to mount a fund-raising drive.

Working with the Community

Having gained the conditional support of the Law School administration, the founding students then faced their most important and difficult challenge: garnering the trust and support of the com-

munity of East Palo Alto. The founders turned for advice to a wide range of residents – ministers, educators, community organizers, business leaders, and politicians – and were met with encouragement tempered with a strong dose of caution. The people of East Palo Alto had been disappointed in the past by well-meaning but only sporadically committed volunteers, particularly students from outside of East Palo Alto with little understanding of the community. The individual residents contacted were excited about the prospect of a community law office opening in their midst, but they had no desire to provide a socioeconomic “laboratory” for altruistic law students or a finishing school for budding litigators. East Palo Alto residents wanted cooperation, respect, assistance, and above all, honesty.

This sentiment was perhaps best expressed by Omowale Satterwhite, director of the East Palo Alto Institute for Community Development, who said: “Don’t promise to do things you can’t do, and be sure to follow through on what you promise.” This advice was often hard to follow for the students, who desperately wanted to win acceptance for the Project. Tempting as it was to try to be all things to all people, the students had to learn to acknowledge the need for a broad range of services while admitting that they could not provide all such services themselves. Spreading the office too thin would be a sure path to failure.

The students wanted very much to involve the community in the development of the Project. They recognized that legal representation, while vitally important, was only one way of addressing the myriad problems faced by East Palo Alto residents. Most of the com-

munity’s “legal” problems – for instance, landlord-tenant relations and consumer fraud – could also be lessened if residents were better informed about their rights and responsibilities. Moreover, community education and participation would contribute to the goal of self-sufficiency, which was so important to East Palo Alto as a newly emerging, independent city.

But truly “entering” the community proved to be a considerably greater challenge than merely crossing the freeway. None of the students had lived in East Palo Alto or spent enough time there to have a true feel for the life of the community. Their other obligations – such as coursework, finals, and job hunting – also made it difficult to develop working relationships with East Palo Alto residents. The students hoped to overcome these problems through an ambitious community outreach program, but they did not really know what forms this outreach should take.

Perhaps the most striking illustration of the chasm between the students’ conceptions of effective “community outreach” and the reality of community



LISA HUDSON

Opening ceremonies: A “great day” for Jim Steyer ’83, Peggy Russell ’84, Michelle Mercer ’86, Steven Dinkelspiel ’85, and other co-founders and participants.

response was the Project’s first public education program, organized in the fall of 1983. By this time the founding students had graduated, and a “second generation” of students (including the authors) was responsible for pushing forward the original vision for the Project. For months we had been hearing that consumer fraud was a major problem in East Palo Alto. Although the Project law office was not yet open, we thought we could offer as our first tangible community service a public seminar on Consumer Protection. We threw ourselves into it – recruiting knowledgeable speakers, mailing out hundreds of flyers, and tacking up posters around the city.

The big night arrived. Fifteen students and three speakers sat expectantly in the main meeting room at the City Council building. One – just one – East Palo Alto resident showed up; she had happened to be in the building that night and noticed a sign announcing the meeting.

Embarrassed and confused by this fiasco, we adjourned to a nearby pizza parlor. The discussion that followed was probably the lowest point in the Project’s history. “We seriously considered throwing in the towel,” says Michael Calabrese ’84. “We wondered whether we, as law students, had the necessary knowledge, patience, and commitment.” In the end, however, the students decided the idea of a community law office was still viable. We just needed “to make an extra push in the next few months.”

Discussions with community advisers shed light on our mistakes. We quickly learned that the mere availability of free advice was not enough to draw a crowd in East Palo Alto. Residents were understandably cautious about embracing a new service, even when offered with the

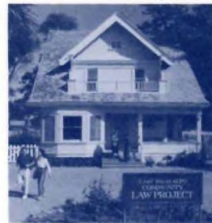
best of intentions. Only by working with existing community organizations (like local senior citizens or tenants groups) could we hope to attract an audience for our educational programs. Recognizing the need to build credibility over time was an important step in our education about how to share the resources of Stanford with its neighbors.

Establishing the Law Office

Despite the failure of our first public event, there was much in the fall of 1983 to encourage us. The response we were getting from local funding sources was truly remarkable (in one case even exceeding the amount we requested).

EAST PALO ALTO PROJECT AT A GLANCE

- Date opened: March 15, 1984
- Date endorsed by Stanford Law School faculty: November 25, 1985
- Number of Law School 1985/86 courses connected with the Project: 4 (Poverty Law, Immigration Law and Policy, Teaching Self-Help and Lay Lawyering, Juvenile Law)
- Number of students taking these courses: 56
- Additional students involved with Project (*pro se* clinics, steering committee, fund raising, community outreach, etc.): 114
- Population of East Palo Alto/eastern Menlo Park service area: 20,000
- Ethnic makeup (in percentages): black, 61; white, 20; Hispanic, 14; Asian/Pacific islander, 5
- Population receiving some form of government assistance: 40 percent
- Families below poverty line: 15 percent
- Distance to nearest legal aid office: 6 miles, or 2 bus trips
- Lawyers in community other than those with new project: 1
- Lawyers at new project: 6 (4 EPACLP staff members, plus 2 affiliated with the Immigration Legal Resources Center)
- Legal services offered: government benefits, landlord-tenant law, Immigration Clinic, Youth Justice Program, Domestic Violence Clinic (temporary restraining orders), Small Claims Clinic, Divorce Clinic, plus other areas handled by volunteer attorneys
- Individual clients served in year ending December 1985: 705
- Clients served since Project opened: 2000
- Successful cases affecting groups of clients: 3
- Cases handled free of charge: 95 percent
- Start-up funds raised through student efforts: \$593,775
- Annual budget (1985/86): \$256,000



COMMUNITY LAW PROJECT

The San Francisco Foundation had in spring 1983 awarded a two-year, unrestricted grant of \$125,000. Peninsula Community Foundation had followed that summer with a two-year pledge of \$50,000, and in the fall we were notified of a gift of the same amount from The James Irvine Foundation. Bolstered by this kind of institutional support, we were able to garner generous gifts from individuals as well. Thus, as of the fall of 1983, the many months of fund raising by the founders and the subsequent generation of students had born fruit with over \$275,000 in gifts and pledges.

Another source of encouragement was the Project's Board of Directors, expanded the previous spring to include not only founding students but also Professors Babcock and Friedenthal, East Palo Alto Mayor Barbara Mouton, Harry Bremond of the Palo Alto law firm of Wilson, Sonsini, Goodrich & Rosati, Henry Organ of the Stanford University development office, and Judges Thelton Henderson and LaDoris Cordell '74. Both Henderson and Cordell had practiced in East Palo Alto (Henderson as director of the legal aid office there in the mid-seventies) and served as dean of students at the Law School.

The Project was, however, clearly at a crossroads. The funds so far raised, while impressive, would not cover much more than a single year's operations (then budgeted at \$225,000) — far less than the full term of the Dean's "trial period." But further delay would only serve to undermine the Project's credibility with both the community and funding sources. For two-and-a-half years, law students had been trumpeting the arrival of free legal services in East Palo Alto. The time had come to open the office.

In early 1984, then, the two decision-making bodies for the EPACLP — the Board and the Student Steering Committee — made the boldest and probably wisest decision of the Project's early years: hiring an executive director, Susan Jackson Balliet. The move was bold because it committed the Project to begin offering services despite the lack of firm, long-range funding. And it was wise because Balliet (a 1966 Stanford graduate with a J.D. from the University of San Francisco) has proven ideal for the job. For many years an attorney with the San Mateo County Legal Aid Society, she is able to provide guidance in litigation for both individual clients and class actions. And her familiarity with East Palo Alto meant the Project could begin working with the community as soon as it opened its doors.

Before that could happen, however, the students had to rent and equip suitable office space. In January, the perfect building became available: an old farmhouse converted to a home for seminary students. Located on Bay Road in the heart of East Palo Alto, it had already been divided into a series of small rooms ideal for offices. One of the students raced down from San Francisco with a personal check to secure the building. The next few weeks were spent painting, cleaning, and scrounging equipment (including typewriters loaned by the Law School and furniture donated by Wells Fargo Bank). A second lawyer was hired, as well as support staff. The East Palo

Peggy Russell '84 and Steven Dinkelspiel '85 are both members of the EPACLP Board of Directors and former co-chairs (in different years) of its Student Steering Committee. Peggy is currently a law fellow at Public Advocates, a public interest law firm in San Francisco. Steven is a law clerk for Judge Thelton Henderson of the U.S. District Court, Northern California. Both regard their work on the Project as "the high point of our Law School experience."

Alto Community Law Project was, at long last, a physical reality.

The Project in Action

The EPACLP law office formally opened for business on March 15, 1984. The ribbon-cutting ceremony, to which the community was invited, was also the occasion for a reunion of the first generation founders, all now graduated. "We walked through the halls, knocking on walls and looking into offices," recalls John Prieskel '83. "We could hardly believe there was a real building there, where people would practice! And a new wave of students coming along to keep it going. It was a great day."

Community response was overwhelming. Balliet and the second staff lawyer (Francisco Lobaco) were swamped with calls about everything from adoption to zoning problems. A third attorney (Fania Davis) soon joined the staff. And as the months passed, a semblance of sanity developed. Community residents learned what the office's main areas of service were — initially landlord/tenant problems (many related to a new rent control ordinance) and public benefits (welfare and Social Security entitlements), and later, in response to community need, immigration (including deportation defense and visas) and youth justice (juvenile court cases, school expulsions, and other issues affecting younger residents).

Additional services have been developed to "leverage" the Project's chief resource: the large number of eager and talented student volunteers. A domestic violence clinic was opened where students, after some training, could

advise victims of their legal situation and help them prepare requests for temporary restraining orders. Students have also been staffing an evening small-claims clinic. A third student staffed clinic was started this year to help residents arrange uncontested divorces.

An exciting new opportunity for students has just been introduced in the form of a volunteer attorney program. Several local law firms have agreed to take on legal problems beyond the scope of the present Project. The firms will rotate responsibility for an evening clinic, where attorney-student teams will work together on intake and pursue selected cases to their conclusion.

In the two years since opening, the East Palo Alto Community Law Project has directly served over 2000 clients with problems ranging from a dog bite to Social Security Administration delays in making court-ordered payments. Many other residents have been reached by community education programs on such topics as immigration, Aid to Families with Dependent Children, and California's coming "workfare" requirements.

Community education has in fact been strongly emphasized by students and Project staff. "We are trying to teach clients in all our programs," says Teresa Leger-Lucero '87, "partly because we know that we can't possibly meet all the legal needs of this community, but also so that residents will be better able to understand the legal system and deal with problems before they become serious."

Another hallmark of the Project is the close and growing links between coursework and clinical practice. Students enrolled in the Poverty Law course taught by Brest and Simon have been helping clients to solve housing problems and to

negotiate the bureaucratic and statutory maze of government benefits programs. The Immigration Clinic opened in the fall of 1985 is staffed primarily by students in Visiting Associate Professor Bill Ong Hing's Immigration Law course. And this spring, Michael Wald's Juvenile Law students began providing legal representation to minors, while students in Gerald Lopez's Self-Help and Lay Lawyering course are working on ways of teaching local residents "how to represent themselves and others, if not in the courtroom, then in the daily hassles that make up so much of life" (such as consumer problems and welfare eligibility).

The Project is also distinctive, possibly unique, in the degree of student involvement. Not only do students provide the broad range of legal services and community education mentioned above. They also participate heavily in Project planning and administration, through the Student Steering Committee, membership on the EPACLP Board of Directors, and numerous committees concerned with particular clinics or programs. Other students were involved in the research leading to the successful settlement in April of a suit against a local landlord charging allegedly illegal rents to 300 tenants. Finally, Project organizers have

been largely responsible for raising from outside private sources virtually all of the start-up funds needed to establish the Project and keep it running for its first two years.

What Do Students Gain?

The enthusiasm with which students have greeted this public interest enterprise has surprised even the founders. In its first full year of operation (1984-85) over 100 students — 20 percent of the student body — became involved on some level. The number this year has already reached 170 — or 33 percent.

One reason the Project has attracted so many students is that it provides a rich variety of experiences. For many students, the office is their only opportunity to work with clients. "It's why I went to law school — to help real people with real problems," says Eric Cohen '86. Students interview clients and discover their most effective methods for eliciting and imparting information. They learn investigative techniques, engage in creative analysis of clients' problems, and write briefs for use in administrative hearings. Some students may also find that this range of experience helps them

(Continued on page 75)



Student enthusiasm: Emily Lichtenstein '88, Deborah Forman '87, and Jonathan Freedman '87 confer in the Project library.

Community Law Project

(Continued from page 13)

identify which aspects of legal practice most appeal to them in developing long-term career priorities.

Students also derive much satisfaction from their participation. To do something practical like helping a client get his money back from a dishonest auto mechanic, or protecting a battered woman, can be terrifically rewarding and add meaning to a legal education. "I've been going to school for a lot of years," says Christopher Ho '87. "With the Project I am finally beginning to see what I have learned in School becoming useful."

For student organizers, there are unusual opportunities for learning and practicing leadership skills. Students working with the Executive Director are helping to run a functioning law office, including budgetary planning and managing the office's cash flow — experiences some attorneys may not have until they make partner or open their own offices. Students working with funding sources engage in oral and written advocacy not unlike that needed in the courtroom. The several students each year who serve on the Board of Directors grapple with personnel issues and operational crises while developing long-range programs. Student committee chairs and coordinators have also had to learn to organize the large numbers of students who want to participate.

Involvement in the Project also allows students to reflect on the limits and possibilities of the law. "You soon realize that legal problems are a tiny fraction of the problems that poor clients face," says Mary McComb '87. Many students have said that recognition of what the legal system can and can't do has been an important part of their Stanford education.

Gains to the Law School

We believe that the creation of the East Palo Alto Community Law Project is of great benefit to the Law School above and

beyond its value to individual students. It has proved to be an excellent way of combatting the disengagement that many students feel after the first year. While Stanford has developed its curriculum in several ways to address this problem, the birth of the Project has provided an engaging and valuable learning environment. The ability of students to shift from first-year case analysis to client representation, policy analysis, and intensive written advocacy has added a new dimension to Stanford legal education.

The Law Project also provides new academic opportunities for faculty and students alike. It immediately expanded the clinical scope of courses in Juvenile Law and Poverty Law. The addition to the curriculum of a course in Immigration Law and Policy was made possible by its linkage with the Project-based Immigration Clinic, which is supported by an outside grant. The Project also provides an excellent venue for community education efforts developing out of the innovative Teaching Self-Help and Lay Lawyering course. Several other areas for possible coordination were noted by the faculty EPACLP Evaluation Committee, e.g., consumer law, family law, criminal law, and areas of small business law. "Whether and how these might develop depends, of course, on faculty interests and the resources and judgment of EPACLP," the Committee wrote. "Nonetheless, the potential for ongoing affiliated activities seems great."

Moreover, the existence of the EPACLP adds a new facet to the Law School's reputation, which should help in recruiting. For some years, Stanford has been perceived as more "isolated" than most other major law schools. The School's past lack of connection to surrounding communities has probably hurt its ability to attract some excellent faculty and students who value this element of a legal education. The Project changes this significantly. Stanford Law School now has a student body that is vitally "involved" in the community.

The Community Law Project also supports the School's efforts — such as the Montgomery Public Interest Loan Program and the Low Income Protection

Plan — to instill a sense of professional responsibility in its graduates. "The Project has created a community of people that are in some way interested in community service," says Michelle Mercer '86. "Students are more likely to consider public interest law or at least *pro bono* work than they would have otherwise."

Participating students cannot help but gain a heightened appreciation of the way the legal system affects minorities and the disenfranchised. "This type of work tends to sensitize students," observes Judge Cordell, who chairs the EPACLP board of directors. "It will make them better lawyers — and better human beings."

The unanimous support expressed by the faculty last fall shows that the School recognizes the contribution the Community Law Project is making to the quality of educational life at Stanford. With this vote came a commitment from the School to launch an ambitious effort to help raise funds for the Project and a commitment from individual faculty members to develop additional academic courses using the EPACLP as a base.

Thus, in a very short span of time, the student dream of a community law office has become not only a reality but also an integral and valued part of the Stanford Law School experience. If sufficient funds can be raised to continue the Project, both the community and the School will benefit for years to come. □