



# The Public Interest Advocate

Winter 2010

## 5th Annual Vincentian Symposium: Creative Use of Human Rights *by David Zwaska & Amanda Graham*

The Center for Public Interest Law, in conjunction with the National Lawyers Guild of Chicago, hosted the Fifth Annual Vincentian Public Interest Law Symposium on November 4, 2010, entitled "Back to Basics: Bringing Human Rights to Legal Aid." The event brought together lawyers, professors, community organizers, students, and activists to examine how human rights norms can be integrated into the mission and work of legal aid organizations.

Cathy Albisa, Executive Director of the National Economic and Social Rights Initiative, gave the opening comments, which tied the struggles of the Civil Rights Movement to the struggles facing the movement for human rights in the United States today. In discussing issues of poverty, she reported that Illinois has 1.56 million residents who live in poverty, 700,000 of which live in extreme poverty. In the city of Chicago alone, an estimated 24,968 children and youth are home-

less. Albisa concluded that the symposium topic—the fight for basic human rights and dignity—is as timely as it is geographically appropriate.

The impetus for the event came from the work of the Maryland Legal Aid Bureau (MLAB), which recently adopted a human rights framework as part of its organizational mission. In 2008, MLAB conducted a survey of the community it worked in as part of its strategic planning process. It discovered that the majority of its clients had not only legal needs, but also basic human needs that were



Symposium Panelists (L-R):  
 Shawn Boehringer, *Maryland Legal Aid Bureau*, Seri Wilpone, *Maryland Legal Aid Bureau*, Richard Wheelock, *Legal Assistance Foundation of Metropolitan Chicago*

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## College Cost Reduction and Access Act Brings Relief to Public Interest Lawyers *by Liz Lyons*

In 1967, the Doors rocked out to "Light my Fire," and the average four-year college cost the \$2,577 per year. Forty years later, the average four-year college costs \$19,323 per year, more than seven times what it did in 1967. Law school tuition ballooned as well, nearly doubling in the 1990s. For the average DePaul Law student, this means graduating with over \$100,000 dollars in student loan debt.

Congress responded with the College Cost Reduction and Access Act ("the Act"), which expanded the federal student loan program by increasing Pell grants, decreasing interest rates, and jettison-

ing private banks. For public interest lawyers, the Act means their chosen career path will equal debt forgiveness.

The U.S. Department of Education explained, "The Public Service Loan Forgiveness ... Program was established to encourage individuals to enter and continue in full-time public service employment."

For many, the prospect of hefty student debt used to foreclose the option of pursuing a public interest job. The average entry-level government lawyer makes around \$50,000 per year—less than

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## Vincentian Symposium: Human Rights in Legal Aid

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Opening Speaker Cathy Albisa

“... Maryland Legal Aid Bureau decided it was time to weave human rights into its legal practice and stopped asking clients, “What legal services do you need?” but instead, “What are your needs?”

not being met. In response, MLAB decided it was time to weave human rights into its legal practice and stopped asking clients, “What legal services do you need?” but instead, “What are your needs?”

Attendee Nickole Miller ('12) felt that the symposium did a good job of capturing the importance of this holistic approach to legal services. “The human rights framework asserts that all rights, injustices, and movements are interrelated, interdependent, and indivisible,” said Miller. “The human rights framework represents a holistic view that acknowledges diverse factors, such as economic injustice, racial discrimination, and inadequate education all intersect in various ways to affect people seeking legal services.”

The Symposium's agenda included sessions with dynamic speakers from Chicago, New York and Maryland. Presenters included: Shawn Boehringer, Chief Counsel, Maryland Legal Aid Bureau, Seri Wilpone, Chief Attorney, Maryland Legal Aid Bureau, Richard Wheelock, Supervisory Attorney of the Housing Law Project of the Legal Assistance Foundation of Chicago, Rene Heybach, Director of the Law Project at Chicago Coalition for the Homeless and Doug Schenkelberg, Associate Director of Policy and Advocacy, Heartland Alliance for Human Needs and Human Rights.

Alix Strunk ('11), a graduating third year student who aspires to work in public interest law, found the topic of the symposium to be quite

timely. “The opening speaker noted that on a week like this, with the midterm election, we need to be in a room full of optimists,” said Strunk. “I couldn't have agreed more. Utilizing a human rights framework in legal services is both optimistic and idealistic, but it is exactly what we need. Our clients are in complicated situations and have many more needs than what we can fit into a legal box.”

However, as Sami Silverstein ('13) noted, both practitioners and the day's presenters recognize that there is a lot of work that still needs to be done in this area. Silverstein said, “it seems only sensible that human rights, being inalienable by nature, are part of the legal framework. After getting over the initial shock that they aren't, I thought that the symposium provided a great dialogue on how certain organizations are laying the groundwork by incorporating rights into their legal approach, but there's a long road ahead that I hope to be a part of.”

The event concluded with the formation of the Chicago Human Rights Working Group, led by David Zwaska ('12). Law students, practitioners, and community members discussed goals for the working group and brainstormed ways to build a human rights foundation for legal aid in the United States.

The working group will provide a tool for practitioners to move forward with the ideas discussed at the symposium. The group will serve as an information-sharing resource for people who want to utilize the human rights framework. Ultimately, many at the symposium hope to integrate the human rights framework into the work of their organizations, not just to better serve the needs of their clients, but to move toward creating a more just society, one that respects and values human rights and dignity.

To join the working group, contact David Zwaska at [dzwaska@depaul.edu](mailto:dzwaska@depaul.edu).



**MARYLAND  
LEGAL AID**

## Alumni Profile: Jennifer Coco ('10) by Nickole Miller

### Wow, you graduated last year from DePaul College of Law, how were you able to secure a public interest job so quickly?

My organization, the Lawyers' Committee for Civil Rights Under Law, hires one recent graduate to be their George N. Lindsay Fellow, and I decided to apply for the fellowship after having interned there my second summer. The fellowship is independent of the Equal Justice Works and Skadden Fellowships, which is nice because the hiring process is controlled by the Lawyers' Committee and not dependent upon external factors. This allowed me to tailor a fellowship proposal to only one audience, which I knew well.

As for the actual fellowship application, I designed a proposal that drew upon work I did at the Lawyers' Committee as an intern, and research I had done for Professor Mark Weber as his research assistant. I viewed the fellowship process as a chance to identify a problem, explain the legal and political roots of that problem, and outline advocacy and litigation approaches to alleviate the problem.

### Can you describe your current law practice and what your position entails?

As the Lindsay Fellow, I work to address systemic inequalities in the New Orleans public education system. Getting my project off the ground has been really exhilarating, because I've been able to tailor my goals in response to current ongoing community efforts. I'm particularly excited to have forged a partnership with attorneys at the Southern Poverty Law

Center – just two days ago we filed a class action complaint on behalf of students with disabilities in New Orleans schools!

### What courses and experiences at DePaul most prepared you for a career in public interest law?

The three most useful classes I took were Disability Law, School Law, and Administrative Law. They gave me essential exposure to the practical issues I deal with on a daily basis, as well as an understanding of how to navigate through procedural issues.

Another critical experience was participating in the Special Education Advocacy Clinic. Clinic work is essential to honing your issue-spotting skills and learning how to represent a client.

The single most important experience I had at DePaul was assisting Professor Mark Weber with research for his special education publications. Without it, I would not have been exposed to the problem that's now the basis for my fellowship proposal.

### What advice do you have for students interested in public interest law?

Find a professor practicing an area of law that interests you, and help them with their research to gain exposure to developing issues. Remember that a public interest legal practice comes in many forms, not just direct representation.



"If you have a passion for this work, there will be a way for you to meaningfully contribute, so be creative in your search."

Jennifer Coco ('10)

## Free Speech Champion Visits DePaul by David Porter

"Speak up, stand up. It makes life more interesting."

That was the message Mary Beth Tinker urged to a packed house at the College of Law in September. Tinker, who was the plaintiff in the leading First Amendment case *Tinker v. Des Moines Independent Community School District*, visited DePaul to talk about the transformative power young people can have on the justice system.

"Kids have a natural sense of justice," Tinker said, recounting the history of youth-led social movements in this country.

From newsboys striking against the increased cost of newspapers to eleven-year-old Hannah Hansen and the Factory Girls Association, who fought for safer working conditions in factories, young people have had a powerful effect when standing up for themselves.

Tinker noted that the greatest Supreme Court case in the twentieth century would never have accom-

plished so much without the young people like the Little Rock Nine and the Freedom Riders who had the courage to implement the drastic changes in the South.

"Those were the real heroes," Tinker remarked.

Recounting the events that led up to her case, Tinker remembered the moral dilemma she encountered when she found out she could not wear a black armband to school. She wanted to wear the armband as an expression of peace, and in protest of the Vietnam War, but school officials threatened to suspend any student who did so.

Like the youth who came before her, Mary Beth Tinker summoned the courage to stand up for her Constitutional rights and decided to wear her armband to school. Although she was suspended for several weeks, Tinker instinctively knew that students

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## College Cost Reduction and Access Act

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Heather Jarvis  
Equal Justice Works Senior Program  
Manager of Law School Advocacy and  
Outreach

half of the \$125,000 a year typical in private practice.

Before the Act's repayment plans, students could pay their \$100,000 debt back over 10 years at about \$1,300 per month, leaving the average entry-level government lawyer about \$1,800 per month left over after taxes. Over ten years she would pay about \$150,000. Or she could pay it back in 30 years at \$800 per month, leaving \$2,300 for monthly living expenses, and paying over \$270,000 in total. Basically, public interest lawyers had to select the 30-year plan and ultimately pay almost three times the principal.

The Act provides lower monthly payments with an income based repayment plan and, ultimately, "creates a new loan forgiveness plan for public service employees," according to the Department of Education.

Heather Jarvis, Senior Program Manager of Law School Advocacy and Outreach at Equal Justice Works, recently spoke at DePaul and explained the three requirements for debt forgiveness eligibility.

First, only federal student debt is eligible, not student loans from private banks. All student loans through DePaul are currently federal, but money borrowed prior to 2007 may have been under a private or hybrid federal-private program. The National Student Loan Data System online can show you all your federal and hybrid student loans. Some of the hybrid programs can be consolidated into federal direct loans.

Second, you must pay your federal student loans through income-based repayment. The 30-year fixed payment plan does not qualify for debt forgiveness. Choosing income-based repayment requires partial economic hardship. The somewhat complicated eligibility formula for income-based

repayment is indexed off of federal student debt, income, and family size. For \$100,000 in debt, a single person can make a little more than \$115,000 a year and still qualify; a married couple can make a little over \$120,000; and a family of four can make over \$130,000. For public interest lawyers this isn't a difficult hurdle.

Once you qualify for income-based repayment, you can continue to use it even if you start making more money. Your payments are indexed off your income rather than how much you owe. A single person with a \$50,000 salary would pay up to \$420 per month—half what she would pay in a 30-year fixed plan.

If a student meets the first two criteria and works as a full-time public servant for 10 years or the equivalent of 120 payments (not necessarily consecutively), the entire remaining debt is forgiven – tax free. Lawyers working for the government, non-profit organizations, and certain other organizations qualify.

This provides a strong incentive to stay in public service for 10 years; public interest lawyers will pay less than half of what they would have under the old 30-year plan.

The Act will have an enormous impact on DePaul students and graduates committed to public interest work. More information about the Act is available at :

**National Student Loan Data System:**

[www.nsls.ed.gov](http://www.nsls.ed.gov)

**Consolidation of FFEL into Federal Direct Loans:**

<http://loanconsolidation.ed.gov>

**General information:**

[www.equaljusticeworks.org](http://www.equaljusticeworks.org);

[www.finaid.org](http://www.finaid.org)

**The Act itself:**

110 P.L. 84, 121 Stat. 784

## DePaul Students Attend Equal Justice Works Conference

by Talitha Hazelton & Kristin Wood

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The 2010 Equal Justice Works Conference and Career Fair was held on October 22nd and 23rd in Bethesda, Maryland. Six College of Law students joined hundreds of public-interest-minded students from around the country to network and interview with public interest employers. The Public Interest Law Association (PILA) worked with the Dean's Office and the Vincentian Endowment Fund to help facilitate the cost of attendance for students.

The Career Fair begins weeks before the Conference, when public interest employers from across the country post internship and job openings for students. Students research the positions and bid on interviews with employers of their choice. Interviews of those selected are then held at the Conference.

For those who did not schedule interviews, there were opportunities to meet with representatives from various employers at "Table Talk" sessions. Other activities included workshops on job-search strategies, fundraising, student debt relief, leadership and career satisfaction, securing public interest fellowships, and practitioner spotlights.

One highlight was a session with Professor Laurence Tribe and Judge David Tatel, entitled "Public Service and the Role of Lawyers in Society." Professor Tribe works as Senior Counselor for Access to Justice at the Justice Department, where he is charged with increasing access to the legal system for the poor.

Professor Tribe has taught constitutional law for over 40 years at Harvard University and has argued such cases before the Supreme Court as *Bush v. Gore*, *Pacific Gas & Electric v. California*, and *Bowers v. Hardwick*. He has taken cases he believes will lose in addition to those he thinks will win, and sometimes it pays off.

"I had hoped we would win *Bowers*, but I got great satisfaction on the day *Lawrence v. Texas* overturned it," he said.

For the students in attendance, the Conference was a source of inspiration. Second-year student Nickole Miller reflected, "The Equal Justice Works Conference was a great opportunity to meet and share ideas with public-interest-minded law students from around the country. It was reassuring and inspiring to hear about the innovative programming and public interest opportunities students have created at their schools. I am excited to bring those ideas back to DePaul."

Yesenia Sandoval ('11), reported that some aspects of the Conference were geared more towards first and second year students,

"I felt that some of the workshops that were available were not really relevant to me anymore. For example, the workshop about how to build relationships with mentors would have been helpful for me as a 1L, but as a 3L, I didn't think it was very effective. However, I did enjoy the good vibe I received from being around people who were also interested in social justice."

Any student interested in pursuing a career in public interest law should strongly consider attending the Equal Justice Works Conference and Career Fair during law school, in order to connect with like-minded students and potential employers. The College of Law's support for students who wanted to attend demonstrates DePaul's esteem for public interest law and the students committed to work in that



Professor Laurence Tribe spoke about the importance of access to justice initiatives

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## Real Talk About Tax Increment Financing *by Emily Miller ('06)*

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Andy Shaw  
Director, Better Government Association

In Chicago, no issue is more timely - or more misunderstood - than the subject of Tax Increment Financing, or TIFs. In Chicago, TIFs are viewed by critics as a “slush fund” for the Chicago political machine. However, others view TIFs as necessary tools for economic development.

Despite the recent surge in media interest, as well as the rise of TIFs as a hot-button issue in the November elections, the fact remains that most Chicagoans do not understand what TIFs are. On September 28th, the Center for Public Interest Law, along with University Ministry, joined the Illinois-based Better Government Association to host a forum discussion that cut through the political rhetoric and answered basic questions about TIFs.

TIFs are economic development tools that earmark certain property tax revenues in blighted areas to stimulate development. Illinois law governs the creation of TIF districts, but the language is vague enough that individual municipalities can interpret it in a way that benefit them. Municipalities use TIFs to increase tax revenue and property values without raising taxes. A municipality enters an agreement by which it and private investors invest in a property, thereby increasing its Estimated Assessed Value (EAV). The increased value of the property generates an increase in tax revenue for the area. The tax collected stays the same, while the difference goes into the TIF fund.

With longtime Chicago Mayor Richard M. Daley, a

prolific user of TIFs over his 21-year reign, deciding not to run for another term, and the City’s budget deficit likely to rise to over \$655 million next year, the question of what to do with the more than \$1 billion in TIF reserves is a hotly-contested debate. Education and affordable-housing groups are all arguing their cases for having that money directed toward their programs.

Andy Shaw, a 35-year Chicago veteran political reporter and the current Executive Director of the Better Government Association, moderated the lively forum that drew well over 120 students and community members.

“It’s important to engage in this type of conversation about matters of public policy—even those as seemingly dry as property tax issues,” Shaw emphasized.

If the attendance at this event is any indication, there are many Chicagoans who would agree with him, and significant student interest bodes well for putting this issue on the public’s radar.

“It’s a real testament to the tireless work of public interest advocates that issues like TIFs are able to draw this big of a crowd,” said Shaye Loughlin, Director of the Center for Public Interest Law.

“It’s great that the Better Government Association and the Center for Public Interest Law can work together actively engaging both students and the community in an effort to educate citizens on the policy issues that impact them the most.”

## Tinker Visit

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do not lose their Constitutional rights when they enter the classroom - an instinct shared by Justice Fortas, who wrote the opinion in Tinker’s case.

More than one hundred students, faculty and community members attended Tinker’s event, which was co-sponsored by the Center for Public Interest Law and DePaul’s Chapter of the American Constitution Society.

Professor Jeffrey Shaman, a constitutional law scholar, commented, “It was a true honor for me to be able to meet and listen to Mary Beth Tinker talk about her experiences in asserting her rights to freedom of speech. As a young student, she had the gumption to stand up for her constitutional rights

against school authorities. In that respect, she serves as a model for all students.”

Tinker’s case has had a profound effect on the rights of students, but the battle is not over. Traveling across the country, Tinker sees the challenges that face many school children. From asbestos-lined classrooms to unhealthy school lunches, Tinker stated, “the conditions for kids right now are not good.”

Tinker spends much of her time traveling to these schools, motivating students to stand up for themselves and fight back against unhealthy school conditions and subpar learning environments. If her story, and the history of youth-led movements, reveals anything, it’s that students and young people can effect transformative change when they summon the courage to stand up for their rights.

## “Law for the People” in New Orleans by Neil Kelly

Each year, the National Lawyers Guild holds its “Law for the People” Convention, bringing together thousands of progressive lawyers, legal workers, and law students from across the country. From September 22nd to the 26th, thirteen students joined the rest of the Guild in New Orleans for the annual conference. The decision to hold the convention in New Orleans was meant to mark the progress the city has made in the aftermath of Hurricanes Katrina and Rita, and to call attention to the work left to be done.

This year’s program featured panels and workshops on the ongoing struggle for rights, recognition, and housing in New Orleans. Prominent local and national Guild attorneys spoke on a range of topics, including defending the right to organize in New Orleans, the criminalization of protest in the United States and Brazil, the recent events surrounding the flotillas taking aid to Gaza, and the Supreme Court’s controversial decision in *Citizens United v. F.E.C.*.

“The solidarity tour was a profound experience that provided a look into the tragic neglect that New Orleans has suffered in the five years since Katrina,”

Katie Kizer (’12)

As housing issues are currently central to thousands of displaced people in New Orleans, one of the highlights of this year’s convention was a panel on using a human rights framework to increase access to housing.

Representatives from Maryland Legal Aid and the Fideicomiso Cano Martin Pena Community Land Trust from Puerto Rico outlined how petitioning government entities to consider international treaty definitions of human rights and dignity can have empowering results.

“Using international human rights law as a tool in domestic legal battles seems to have a lot of potential for creating change,” said Rochelle Turrisi (’12).

The panelists were joined by New Orleans property activist Endesha Juakali from the New Orleans Survivors Village. His rousing speech about the “take back the land movement,” a coalition which encourages forced entry and squatting in vacant homes across the city, gave insight into the struggles and frustrations of the people of New Orleans, even five years later.

At the annual student caucus, law students from every state elected a new vice-president to represent them to the larger Guild and discussed how students could better organize themselves. In response to concerns raised at the Convention’s annual Anti-Racism Training and The People of Color Caucus, students agreed to utilize the national list serve for discussions and to ask the newly-elected VP to act as a clearing-house for idea exchange.

For those lucky enough to get tickets, Sunday brought an opportunity to go to the now nearly-abandoned 9th Ward, the area hit hardest by flooding.

“The solidarity tour was a profound experience that provided a look into the tragic neglect that New Orleans has suffered in the five years since Katrina,” said Katie Kizer, a 2L.

For Kizer, the most disconcerting aspect of the tour was “the quiet in the streets - since the flooding, New Orleans has been without its children.”

The NLG’s hope is that in the wake of these sad reminders we will be inspired to keep fighting and finding new ways to help our communities.



DePaul NLG members take a photo break at the conference



The levee, now repaired, breached by Katrina

**Save the date ~ March 3, 2010!**

**The Journal for Social Justice 3rd Annual  
Symposium**

**DePaul Center, 1 E. Jackson Blvd., Room 8005**

**Thursday, March 3, 2011 from 9:00 – 3:00**

The event will focus on the Valadez gun law which, passed in 2009, imposes sentences of 3 to 10 years for unlawful possession of a firearm by so-called “street gang members.” Come learn and participate in discussions about the law itself, the circumstances surrounding the law’s passage, what this law means for Chicago youth, why there are guns in our communities and creative responses to stop the violence and remove the guns. *CLE credit will be available. For more information, contact the Symposium Editor at [depaulj4sj@gmail.com](mailto:depaulj4sj@gmail.com).*

**PLEASE CONSIDER DONATING  
TO THE CENTER FOR PUBLIC INTEREST LAW**

Checks can be made payable to DePaul University College of Law; please indicate on the check that your donation should go toward CPIL and mail to: Shaye Loughlin, 25 E. Jackson, Chicago, Illinois 60604-2219. Thank you for your continued support!

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