Clinical Professor Ronald Chen Becomes Acting Dean at Rutgers—Newark Law School

Clinical Professor and Vice Dean Ronald Chen became Acting Dean of the Law School on April 11, 2013, when Dean John Farmer began a leave of absence to serve as Rutgers Senior Vice President and University General Counsel in New Brunswick. Chen ‘83 is believed to be the first Clinical Track professor to serve as Dean at his law school. Chen received the Rutgers version of clinical tenure under the school’s Clinical Scholar Series and was named the Judge Leonard I. Garth Scholar.

Dean Chen returned to the law school in January 2010 after serving for four years as the Public Advocate, Dean Chen was the Judge Leonard I. Garth Scholar. After completing his term as Public Advocate, he was re-elected to the ACLU National Board and currently serves on the ACLU-NJ Legal Committee. Chen was named the New Jersey Law Journal’s “Lawyer of the Year” for 2007, in large part because of his work as the Public Advocate in using state constitutional principles to prevent eminent domain abuse. Among the other awards, he has received the Fannie Bear Besser Award for public service given by the Rutgers School of Law—Newark Alumni Association, the 2007 Mel Narol Excellence in Diversity Award given by the New Jersey State Bar Association, the 2002 Roger Baldwin Award bestowed by ACLU-NJ for contributions to civil liberties, and the 2001 Outstanding Achievement Award bestowed by the Association of Asian and Pacific American Lawyers Association of New Jersey.

Clinical Professor Ronald Chen, Acting Dean
Rutgers School of Law—Newark


The H.E.A.L. Collaborative Opens Its Doors to Children and Families

The H.E.A.L. (Health, Education, Advocacy & Law) Collaborative, a newly developed medical-legal-social work partnership, began providing legal and social work case management services to children and families in March 2013, thanks to generous funding from the Healthcare Foundation of New Jersey. A joint project of the law school’s Education and Health Law Clinic (formerly known as the Special Education Clinic) and the Rutgers New Jersey Medical School’s Outpatient Department of Pediatrics, the H.E.A.L. Collaborative aims to improve the health and well-being of indigent children with disabilities and their families by addressing non-medical causes of poor health that typically result from poverty. The H.E.A.L. Collaborative already has provided assistance in 40 cases, addressing issues including inappropriate special education and early intervention services, improper reduction or termination of public benefits, and lack of necessary childcare and other supportive services for children with disabilities.

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Jennifer Rosen Valverde Clinical Professor of Law Education and Health Law Clinic

New in-House Clinics in International Human Rights, Criminal and Youth Justice and Intellectual Property Commerce in August 2013

As part of a reorganization, the Rutgers Clinical Program has increased the number of in-house, live-client clinics, staffed entirely with full-time clinical faculty, from 7 to 10. Clinical Professor Penny Venetis is the Director of the new International Human Rights Clinic, Clinical Professor Laura Cohen has become the Director of the new Criminal and Youth Justice Clinic, and Clinical Professor John Kettle, the Director of the new Intellectual Property Law Clinic. Several other clinics have undergone name changes to better reflect their current focus and coverage. The Special Education Clinic has become the Education and Health Law Clinic in keeping with its broader focus since the recent establishment of a medical-legal partnership with the Rutgers New Jersey Medical School – the Health, Education, Advocacy & Law (“H.E.A.L.”) Collaborative. In addition, the Constitutional Litigation Clinic became the Constitutional Rights Clinic, the Urban Legal Clinic became the Civil Rights, Criminal and Youth Justice and Intellectual Pro

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Criminal and Youth Justice Clinic Secures Greater Protections for Teens

The Rutgers-Newark Criminal and Youth Justice Clinic (CYJC), formerly Rutgers Urban Legal Clinic, helped produce a major recent victory in the New Jersey Supreme Court. In State in the Interest of A., 212 N.J. 1 (2012), the New Jersey Supreme Court imposed a stricter standard of judicial review of prosecutorial motions to waive youth to adult criminal court. The Court further held for the first time that, prior to filing a waiver motion, prosecutors must engage in “individualized consideration” of the young person’s history and circumstances. The Court’s decision reversed the lower court’s waiver determination and remanded the cases of the appellants, all 16-year-old boys, to the Juvenile Court.

Clinical Professor and CYJC Director Laura Cohen and her Clinic students co-wrote the amicus curiae brief with the Philadelphia-based Juvenile Law Center and the New Jersey Institute for Social Justice, and she argued the case on behalf of a large consortium of state and national organizations in the New Jersey Supreme Court. Says Cohen, "The Court's ruling will afford youth some measure of protection against arbitrary prosecutorial decision-making and help reduce the racial and geographic disparities that plague waiver determinations.”

Clinical Professor Charles Auffant Elected National Co-Chair of AALS Clinical Section

Professor Charles Auffant was elected as Co-Chairperson, along with Mary Jo Hunter of Hamline, of the AALS Clinical Section in January 2013 for a one-year term commencing in January 2014. The Clinical Section is the largest section of the AALS.

Professor Charles Auffant has served as a member of the AALS Clinical Section’s Executive Committee since 2010. During his time on the Executive Committee, he was the principal advocate and driving force behind holding the annual AALS clinical conference in Puerto Rico for the first time. Auffant was recognized for his tireless efforts to bring the conference to Puerto Rico at the start of both the AALS Clinical Director’s conference and the main Clinical Conference in April, 2013. Auffant has also led the establishment of the Section’s Diversity in Section Leadership Sub-Committee during his time on the Executive Committee.

Professor Auffant won the prestigious Shanara Gilbert award from the AALS Clinical Section in 2010 as one of the top emerging clinical educators in the country. He teaches in the Community and Transactional Lawyering Clinic and has established that clinic’s Youth Advocacy Project, providing extensive transactional representation of and on-site assistance to a major non-profit provider of residential and other services to homeless youth in Newark and Atlantic City.

On January 25, 2013, the Rutgers-Newark Immigrant Rights Clinic hosted an all-day roundtable conference entitled, “Building Justice: Increasing Immigration Representation in New Jersey.” Attended by over 100 members of the New Jersey immigrant rights community, the roundtable provided a forum for stakeholders to discuss possible methods of overcoming obstacles to quality legal representation for immigrants. New Jersey has the third-largest immigrant population in the country, with approximately 2,350 immigrants in detention facilities around the state.

The conference was organized in large part by the law school’s inaugural Immigrant Rights Fellow, Stephanie Robins, ’14. “New Jersey immigrants face life-altering consequences in their immigration proceedings, such as deportation or detention,” said Robins, “but despite the potential deprivation of liberty at stake, they have no right to counsel, much less quality counsel. Given that whether or not an immigrant is represented is one of the strongest predictors of success in an immigration proceeding, the lack of quality counsel for New Jersey immigrants deserves some attention.”

Conference speakers and panelists included: Dean John Farmer, the Honorable Michael Chagares of the United States Court of Appeals for the Third Circuit; Jack H. Weil, Assistant Chief Immigration Judge; Amy Gottlieb, Director of the Immigrant Rights Project of the American Friends Service Committee; Mark Parry of the American Immigration Lawyers Association; Daniel Weiss, At-Large Trustee to the New Jersey State Bar Association; Robert C. Brady, Director at Gibbons, P.C.; Melissa Castro, Deputy Outreach Director for U.S. Senator Robert Menendez; Catherine Weiss, Partner at Lowenstein Sandler and Chair of the Lowenstein Center for the Public Interest; and Eleanor Acer, Director of the Refugee Protection Program at Human Rights First.

The conference already has made an impact. In response to this and an earlier conference, Judge Chagares formed a working group, consisting of New Jersey legal service providers, law professors, members of the private bar, and immigration judges, intended to implement the suggestions that arose out of the roundtable and to increase quality representation of immigrants in New Jersey generally. Professor Gupta is a member of the working group. Also in response to the issues raised at the conference, the New Jersey State Bar Association has introduced a resolution to permit attorneys who take certain pro bono immigration cases to qualify for an exemption from New Jersey’s pro bono appointment requirement.

The roundtable discussion was co-sponsored by: American Friends Service Committee, City Bar Justice Center, Human Rights First, Kids in Need of Defense, Lowenstein Sandler LLP, Rutgers Immigrant Rights Collective, Rutgers School of Law–Camden, Rutgers School of Law–Newark, and Seton Hall Law Center for Social Justice. Further information about the event can be found here: http://law.rutgers.edu/irc-publications-and-events.

IRC Hosts Roundtable Conference on Access to Counsel for Immigrants

Panelists Daniel Weiss, Robert C. Brady, Melissa Castro, and Edina Stegich, and facilitators Catherine Weiss and Eleanor Acer discuss the next steps for increasing quality representation for immigrants in New Jersey.

New In-House Clinics

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Justice Clinic, and the Community Law Clinic became the Community and Transactional Lawyering Clinic. The school’s remaining active, in-house clinics are the Child Advocacy, Immigrant Rights and Federal Tax Law Clinics. According to Associate Dean for Clinical Programs, Professor Jon Dubin, “We expect that the additional three in-house clinics and new clinical titles will provide greater opportunity and better clarity for students, clients, legal employers and other interested parties at a time of greatly increasing demand for and heightened recognition of the importance of clinical legal education.”
On October 18, 2013, the Child Advocacy Clinic (CAC), with Lambda Legal and the Rutgers Institute on Professional Education, will sponsor a full-day conference on the needs of youth who identify as Lesbian, Gay, Bisexual or Transgender (LGBT) and who are homeless or involved with one of New Jersey’s state agencies that serve children (child welfare, juvenile justice, or mental health). The purpose of the conference is to begin a conversation in New Jersey about the needs of this population of youth and to educate attorneys about the special needs and interests of LGBT youth, including how the attorney-client relationship may be impacted and what attorneys can do to make their clients feel more comfortable. Attorneys, psychologists, and social service providers with special experience serving this population of youth are among the invited speakers, including Ronald Richter, Commissioner of New York City’s Administration for Children’s Services, and Shannon Wilber, Youth Project Director of the CAC, with Lambda Legal and the Institute for Families. CAC students also have developed a manual for LGBT youth, which explains the rights and entitlements and also details what resources and targeted services exist around the state of New Jersey. Currently, the clinic is in the process of “vetting” the manual with young people, in order to ensure that the final version incorporates youth input and is as reader-friendly as possible for its audience. According to Professor Mandelbaum, “We hope to launch the manual at or near the time of the conference.”

The H.E.A.L. Collaborative

The medical-legal partnership (MLP) concept was introduced almost 20 years ago. More than 90 MLPs currently serve over 200 hospitals and health care centers across the country, more than 20 of which include a law school clinic partner. The H.E.A.L. Collaborative, with access to 10 Rutgers law clinics, has an especially diverse array of legal services available for its clients. H.E.A.L. aims to identify and treat social problems before they become legal problems, and to address legal problems should they occur. It fosters inter-professional collaboration through cooperative client service provision and cross-trainings for health providers on legal health-related topics. More than 60 pediatric physicians, residents and health care professionals have attended trainings this far. In September, clinical law and social work students in the EHC, working under the supervision of Clinical Professor Jennifer Rosen Valverde, will begin offering services to clients on-site in the pediatrics specialty suite, along with Clinical Law Fellow Stella Lubyarsky ’10, JD, MSW who staffs the project full-time. Medical residents are expected to rotate through the program, as well. Professor Valverde, who also holds a MSW degree, Kendell Sprott, JD/MD, Interim Chairman of the Department of Pediatrics, New Jersey Medical School (NJMS), and Hanan Tanaou, MD, FAAP, Director of Pediatric Care, NJMS oversee the program. Clinical law and social work students were integral to H.E.A.L.’s development. For example, law students in the Community Law Clinic drafted and negotiated a memorandum of understanding between the law and medical schools and handled trademark issues related to naming the program.

The goal is to improve educational outcomes for children in care by enhancing child welfare workers’ knowledge of the education system, including the rights of parents and children in the system, and equipping them with needed tools to advocate on behalf of the children they serve. The formal curriculum is the culmination of a two-year partnership among the EHC, DCF, and the Rutgers School of Social Work’s Institute for Families. After the EHC developed and taught a four-part training series in the fall of 2011 for all child welfare educational liaisons and local office supervisors across the state, the EHC was asked to formalize the training into a curriculum. The EHC conducted two statewide focus groups with training participants to gain feedback on the substance and presentation of the training series, and incorporated these and other comments when drafting the final product. The curriculum covers numerous topics, including access to education, special education, and discipline of regular and classified students. The EHC began rolling out the training in June 2012 and is training other special education advocates on using the curriculum. Beginning in September 2013, the two-day training will be offered four times per year in each of the north, central and south sections of the state.
CJC Student Scores a Victory for Tenant Client

Ms. B is a client of the Civil Justice Clinic (formerly the Urban Legal Clinic). In January 2013, when she vacated the apartment, she asked her landlord, who is an attorney, to return her security deposit. The landlord refused. He claimed that Ms. B had failed to pay her portion of the rent for six months in 2011, as well as during the last ten months of her tenancy. He also alleged that Ms. B had damaged the apartment to the tune of over $600.

Ms. B denied damaging the apartment, although she acknowledged that the landlord once had to hire a locksmith because she lost her keys. She insisted that she had always paid her portion of the rent in cash, but the landlord almost never provided any receipts. She filed a pro se complaint seeking double damages for the landlord’s failure to return her security. She then came to the Clinic seeking representation.

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Priscilla Monico Wins Clinical Legal Education Association’s Outstanding Student Award

Priscilla Monico, ’13, who was enrolled in the Education and Health Law Clinic, received the Clinical Legal Education Association’s (CLEA) Outstanding Student Award at the law school's graduation on May 24, 2013. The award is given annually at the completion of the academic year to a clinical law student who has demonstrated excellence in assisting or representing individual clients or in undertaking group advocacy or policy reform projects as well as in the seminar component of a clinical course, and contributed to the clinical community at the student's law school.

Priscilla’s passion for working with bilingual and special needs children preceded her time in the clinic. Prior to law school, she was a Teach For America volunteer in New York and an Anti-Bullying Specialist and teacher at the HoLa Dual Language Charter School in Hoboken. In nominating Priscilla for this well-deserved recognition, Professor Esther Canty-Barnes, Director of the Education and Health Law Clinic (formerly the Special Education Clinic), noted that, “In addition to providing exceptional legal services to a diverse population of clients, Priscilla was a major force in developing an educational training program for bilingual and non-English speaking parents of children with disabilities.”

Aimed at reducing the disparities in services provided to the clinic’s Spanish-speaking clients and their children with disabilities, the trainings were conducted in Spanish and held at Newark’s La Casa de Don Pedro as well as at the law school, and covered educational rights under federal and state laws, the special education process, and “Dos and Don’ts” of advocating for special needs children. Additional trainings were offered to a core group of parents who sought to serve as future advocates, which led to the formation of a Special Education Advocacy group to discuss issues unique to their community. Because of the training program, a number of new cases were referred for clinical assistance. As a result of Priscilla’s advocacy, several children were placed in private school placements and others were identified for additional evaluations, reclassified and given increased services within the public schools. Priscilla also helped Professor Canty-Barnes organize a panel discussion entitled “Education and Immigration Laws Affecting Migrant and Bilingual Students.” This program examined the educational rights of migrant children, and the impact of bilingualism and special education on student achievement. In addition to the rich discussion, the event featured identity organizations and occasional intern attorneys willing to represent and protect the rights of migrant and disabled students.

In September 2013, Priscilla will begin a judicial clerkship with the Honorable Michael P. Wright, Presiding Judge of the Family Part in Mercer County, New Jersey. Congratulations, Priscilla!
Publications, Presentations, Appointments and Awards

Charles Auffant
Elected Co-Chair of the AALS Clinical Legal Education Section effective January 2014.

Edna Baugh
Appointed Vice Chair of the New Jersey Disciplinary Review Board, April 2013.

Esther Canty-Barnes

Organized and provided opening remarks at program co-sponsored by the Special Education Clinic and the Rutgers Institute for Professional Education titled “Education and Immigration Laws Affecting Migrant and Bilingual Students,” Rutgers Law School-Newark, April 2013.

Ronald Chen
Appointed Acting Dean of Rutgers–Newark Law School, April 2013.

Laura Cohen

Received the ACLU of New Jersey’s Legal Leadership Award for her work as a leading voice for juvenile justice in New Jersey, April 2013.

Received the John D. and Catherine T. MacArthur Foundation Champion for Change award, December 2012.

Received the National Juvenile Defender Center’s Robert E. Sheffield, Jr. Leadership Award along with Clinical Professor Sandra Simpkins of Rutgers-Camden, October 2012.

Moderated a plenary panel on youth in the adult criminal justice system at the National Juvenile Defender Leadership Summit in Rio Mar, Puerto Rico, October 2012.

Presented on post-dispositional advocacy for incarcerated youth at the Annie E. Casey Foundation’s Juvenile Detention Alternatives Initiative’s annual conference in Atlanta, Georgia, April 2013.

Jon Dubin
SOCIAl SECURITY disability Law and PROCEDURES: IN FEDERAL COURT (2013 edition; co-authored with Carolyn A. Kuhbaur; Thomson Reuters/West Publishing Co.)


Anju Gupta
The New Negro, 85 COLUM. L. REV. ___ (forthcoming 2015), presented at the Emerging Immigration Scholars and Teachers Conference at the University of California at Irvine in June 2013 and at the Association of American Law Schools, Clinical Section’s Annual Conference, in San Juan, Puerto Rico, April 2013.

Presented closing remarks and served on the planning committee for the conference “Building Justice: Increasing Quality Immigration Representation in New Jersey” at Rutgers School of Law–Newark, January 2013.

Presented as a panelist at the Rutgers Women’s Law Forum, Ladies’ Day, Rutgers School of Law–Newark, November 2012.

Robert Holmes

Jonathan Hyman
Presented as a panelist on the panel “Mediation First or Last? A Conversation” at the Association of American Law Schools, Clinical Section’s Annual Conference, in San Juan, Puerto Rico, April 2013.

Randi Mandelbaum

Presented at the workshop entitled “Ethical Issues and Permanency Decisions” at the Children in Court Statewide Training for 250 attorneys and judges, Galloway, New Jersey, April 2013.

Presented at a workshop entitled “Medical Collaboration and Strategic Litigating to Provide Statewide Access to Justice for Youth (with Meredith Schallie, and Sandra Simkins) at the Society of American Law Teachers Annual Conference, Baltimore, Maryland, November 2012.

Presented at the webinar entitled “Educational Stability and Attendance at School for Children in Foster Care” as part of CASA of New Jersey Webinar Series (with Michele Safin), December 2012.

Jennifer Rosen Valverde


Presented on “The Early Intervention Program, Preschool Special Education Services and Section 504 of the Rehabilitation Act,” at CASA of New Jersey Webinar, November 2012.

Appointed to the Rutgers-Newark Law School, Clinical Scholar Series, September 2012.

Penny Venetis

The Rutgers clinical professors, fellows and staff.


(bottom, left to right) Randi Mandelbaum, Jennifer Rosen Valverde, Frank Aokin, Cynthia A. Blum, Norma Torres, Gina Davila.

(Not shown) Sandy Freund, Ronald K. Chen, Jonathan Hyman.

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FEDERAL TAX LAW CLINIC
Sandy Freund

IMMIGRANT RIGHTS CLINIC
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