

Stanford Law School

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Legal Research Paper Series

**Stanford Law School Legal Clinics
2007-2008 Year in Review**

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Note: There were so many activities & accomplishments of the 2007-2008 school year, it's difficult to list them all! Therefore, this document highlights a representative sample.

Criminal Defense Clinic

- ◆ Two students in the Criminal Defense Clinic secured a truly extraordinary victory yesterday in a three strikes sentencing. **Alisha Beltramo ('09)** and **David Simpson ('09)** presented all of the defense witnesses in a two-hour sentencing hearing and Alisha then delivered closing arguments to the judge. At the end of the proceedings, the judge not only agreed with the position that a life sentence was inappropriate, but the judge also agreed to impose a mitigated sentence within the non-three-strikes sentencing scheme. (12/21/2007).

Cyberlaw Clinic

- ◆ Professor Larry Lessig, the Center for Internet and Society, and the Cyberlaw Clinic celebrated a significant victory on behalf of their clients in *Golan v. Gonzales*. They represented artists who challenged the Copyright Term Extension Act and Section 514 of the Uruguay Round Agreements Act. Although the Tenth Circuit held that the CTEA claim was properly dismissed under the governing Supreme Court precedent, *Eldred v. Ashcroft*, the Tenth Circuit held that Section 514 implicates the plaintiffs' free expression interests in works removed from the public domain, and remanded the case to the district court for analysis under the First Amendment. The Court also held that Section 514 alters the "traditional contours" of copyright law by re-copyrighting works that were in the public domain. Students (and former students) who worked on this case include **Alexandria Amezcua, Andrew Coan, Robert Courtney, Adam Goldman, Stephen Kane, Jeffrey Pearlman, David Price, and Aparna Sridhar**. Stanford lawyers (from CIS and Cyberlaw Clinic) include **Larry Lessig, Chris Sprigman, Ed Lee, Jennifer Granick, Lauren Gelman, Elizabeth Rader, Tony Falzone, Colette Vogele, David Levine, and David Olson**. All of this work was done with the tremendous assistance from a number of the Clinic's paralegals: **Joanne Newman, Judy Gielniak, Lynda Johnston and Amanda Smith**. (9/5/2007)
- ◆ Earlier this week the Ninth Circuit ruled in favor of the position that the Cyberlaw Clinic took on behalf of its client, the Electronic Frontier Foundation ("EFF"), as an *amicus curiae* in *DirecTV v. Huyhn*. DirecTV had threatened computer scientists who purchased smart card devices for the purposes of studying signal encryption with lawsuits, and the client was concerned that if they were able to threaten these scientists with an even harsher statutory penalty than the client felt Congress intended, it would have an further chilling effect on legitimate research. Cyberlaw Clinic student **David Price** did the heavy lifting on this case in the trial court, **Trevor Dwyer** wrote the appellate briefs, and **Jason Schultz** of EFF argued it before the Ninth Circuit. Former Cyberlaw Clinic Director **Jennifer Grannick** supervised the case. (9/15/2007)
- ◆ Cyberlaw Clinic students played a key role this month in defending the small book publisher being sued by author J.K. Rowling and Warner Bros. for copyright infringement for planning to publish *The Harry Potter Lexicon*, a fan-written reference guide to the Harry Potter world. The publisher, Michigan-based RDR Books, argues that material used in the *Lexicon* is fair use, and that the ability to create reference guides to works of literature is a critical right that must be protected. The Cyberlaw Clinic partnered with lead counsel, the Stanford Fair Use Project, to help on the case. **Leslie Liang ('09)** and **Casey McCracken ('09)** jumped into the project with work on the pleading documents, then traveled to New York this month as part of the trial team. Leslie and Casey are supervised by Professor **Jennifer Urban** and the Fair Use Project's **Tony Falzone** and **Julie Ahrens**. (5/1/2008)

Environmental Law Clinic

- ◆ The Environmental Law Clinic recently struck a blow for public disclosure and open government in the climate change arena. Passed in 1990, the Global Change Research Act is intended to provide Congress and the public with the relevant scientific information necessary to legislate and develop policy in the area of global change, particularly global warming. The ELC filed an *amicus curiae* brief on behalf of Senator John Kerry and U.S. Representative Jay Inslee arguing that because the current administration has refused over the past 7 years to update the research plan or prepare a new national scientific assessment, the courts should force compliance with the statute. In granting summary judgment to the plaintiffs on August 21 and ordering the government to prepare and issue the missing documents early next year, the district court specifically noted that it had read and considered the Clinic's amicus brief -- and indeed, the court borrowed some of the case analysis and language from the brief. Clinic students **Craig Segall ('07)**, **Sam Woodworth ('08)**, and **Ed Dietrich ('08)** worked on this case under the supervision of Clinic Director **Debbie Sivas**. (8/30/2007)
- ◆ The Environmental Law Clinic celebrated a victory in the Ninth Circuit Court of Appeals in an expedited lawsuit challenging the new corporate fuel economy standards for light trucks (pickups, SUVs, and minivans). The clinic represents the Center for Biological Diversity ("CBD") in this matter. In a 90 page opinion, the Ninth Circuit found in the client's favor on virtually all of the points that the ELC advanced and remanded the rulemaking with direction to prepare a full Environmental Impact Statement and promulgate new standards "as expeditiously as possible and for the earliest model year practicable." Kudos to ELC students **Noah Long ('08)** and **Ben Ratner ('08)** who wrestled with the large rulemaking docket and worked tirelessly on both the opening and reply briefs during the last two semesters. The students work under the supervision of clinic director **Debbie Sivas**, clinical fellow **Leah Russin** and Legal Assistant **Lynda Johnston**. (11/15/2007)
- ◆ The Environmental Law Clinic received summary judgment in favor of its client Center for Biological Diversity in a suit seeking a fee waiver under the Freedom of Information Act. OMB denied a public interest fee waiver to our client on the grounds that most of the documents sought were likely, in its view, to be withheld ultimately under an assertion of the government's "deliberative process" privilege. Clinic student **Noah Long ('08)** successfully argued that the fee waiver provision is a threshold determination, separate from any future determination about deliberative process privilege, and that OMB's position puts the cart before the horse. Noah worked on the case with Clinic Director **Debbie Sivas**, teaching fellow **Leah Russin** and with the assistance of Legal Assistant **Lynda Johnston**. (3/19/2008)

Immigrants' Rights Clinic

- ◆ The IRC recently obtained relief under the Violence Against Women Act (VAWA) on behalf of A., an undocumented woman from Mexico who survived physical and psychological abuse by her U.S. citizen husband. **Hewan Teshome ('08)** and **Peter Schermerhorn ('08)** argued that A. should be allowed to remain in the United States with her children and family based on the domestic violence that she had endured. Thanks to Pete and Hewan, A. can now remain in the United States with her family and children. (1/16/2008)
- ◆ IRC client R. E. was granted the opportunity this month to remain in the United States, where he has lived since he was a child. The IRC convinced the Santa Clara Superior Court to expunge the client's first-time minor drug offense, and then persuaded an immigration judge to terminate the removal proceedings. **Michael Kaufman ('07)**, **Mark Baller ('08)**, **Eunice Cho ('09)** and **Laura Hurtado ('09)** worked extensively with the client to develop his case, interviewing witnesses, conducting research, and writing legal arguments. (1/16/2008)

- ◆ The IRC has been deeply involved in a very significant case before the United States Court of Appeals for the Ninth Circuit. Working as co-counsel with the American Civil Liberties Union, the IRC is representing two immigrant men who are being held indefinitely in immigration detention pending resolution of their deportation cases. These latest efforts are part of a legal challenge against indefinite detention that IRC and ACLU began back in November 2006 when they filed lawsuits in district court seeking the release of four immigrant men held in indefinite detention. **Mark Baller ('08), Kimere Kimball ('08) and Michael Kaufman ('07)** are working on this case. (1/16/2008)
- ◆ The Immigrants' Rights Clinic recently completed a major project for its client, the Immigrant Legal Resource Center (ILRC). Clinic students **Ling Lew ('09), Mindy Jeng ('09), Laura Hurtado ('09)** and **Eunice Cho ('09)** worked with the ILRC developing materials to protect immigrants at risk of apprehension during Immigration and Customs Enforcement (ICE) raids on their homes. Lew and Jeng researched and prepared "know your rights" materials to educate immigrants about their legal rights during a raid. Cho and Hurtado researched and drafted a model Motion to Suppress Evidence, which ILRC intends to use to train *pro bono* attorneys in the Bay Area who have expressed interest in representing immigrants arrested during immigration raids. Many thanks to all these students and to IRC Director, Professor **Jayashri Srikantiah**, IRC Clinical Teaching Fellow **Jennifer Lee Koh**, and IRC Legal Assistant **Irma Perez**. (2/7/08)

Organizations and Transactions Clinic

- ◆ **Amy Park ('08) and Jessie Redden ('09)** revamped corporate governance and fiscal sponsorship arrangements for a Peninsula-based peer education and services agency serving the HIV and Hepatitis C communities. They also prepared a (plain English) summary of a complex commercial lease for the senior management team of a Santa Clara nonprofit serving families with children with special needs, and developed new contract and governance documents for a rapidly-growing San Francisco nonprofit that operates apprenticeship programs for middle-school students. The students were supervised by O & T Director **Jay Mitchell** and assisted by Legal Assistant **Irma Perez**. (4/28/2008)
- ◆ **Bev Moore ('09) and Jon Novotny ('08)** worked with four clients on a range of matters. They provided corporate law advice and documents, including revised bylaws, board resolutions and website content, for a leading veterans' rights organization in San Francisco. The team designed a model contract structure for use by a Bay Area county in contracting with and funding the roughly 20 mental health care providers in the county, a project with potentially broad impact. They drafted a template services agreement for a prominent nonprofit software developer in Mountain View. Finally, they advised a day worker center on the Peninsula and created board policies, committee charters and other materials reflecting emerging best practices in nonprofit governance. (4/28/2008)
- ◆ Under the supervision of Clinic Director **Jay Mitchell**, O & T Clinic students **Susan Cameron ('08)** and **Alice Yuan ('08)** played a central role in planning and documenting a pending merger of six nonprofit charter schools across the Bay Area into a single entity. They developed a transaction workplan for the client, performed due diligence reviews, drafted the merger agreement, board resolutions for all of the merging entities and a filing with the state Attorney General, and worked closely with the CEO of the lead organization in managing the project. Susan and Alice also drafted independent contractor and related template contracts and explanatory materials for a large private foundation, working closely with foundation counsel and the leader of the organization's contracting function. The team also assisted two long-established South Bay nonprofits, one focused on poverty alleviation and the other on family support and community development in south San Jose, with collaboration and volunteer policy matters. (4/28/2008)
- ◆ **Brent Harris ('09) and Melissa Magner ('09)** worked intensively with an East Palo Alto nonprofit in designing and drafting the contract documents establishing a new farmers' market in East Palo

Stanford Community Law Clinic

- ◆ The Community Law Clinic secured a Certificate of Rehabilitation in Santa Clara County Superior Court for one of its clients, a recovering drug addict and formerly incarcerated person. A Certificate of Rehabilitation is a court order, entered upon a finding that the applicant has, since his or her last conviction, lived an "honest and upright life...conducted himself with sobriety and industry ... and conformed to and obeyed the laws of the land." A number of SCLC students worked with this client through the many stages of the process: **Morgia Dampf ('07)**, **Sarah Gilbert ('07)**, **Laurel Parker ('07)**, **Alexis Rickher ('08)**, and **Perry Grossman ('08)**, who conducted the hearing by presenting four witnesses and making the argument in favor of the granting of the petition. Professor **Juliet Brodie** supervised the case. (9/15/2007)
- ◆ The Community Law Clinic has received notice of a decision in favor of two East Bay taqueria workers. The clients are a married couple who worked many, many hours for which they were not justly paid. **Kelly Lowenberg ('09)** and **Al Mezo ('09)** represented the two workers before the Department of Labor Standards Enforcement (DLSE) at a hearing in December, and have just received word that the hearing officer rendered a decision for the full amount they had claimed, over \$20,000. The decision in hand, current clinic students will now turn to enforcement. (2/25/2008)
- ◆ **Larisa Bowman ('09)** represented two women who worked at a market in Redwood City. Larisa's relentless analysis of the employees' timecards revealed numerous blatant errors, all in the employer's favor. At a settlement conference before the DLSE, Larisa took her clients through a direct examination describing their work hours and payment history, and then presented the records to the presiding officer. The conference ended with the employer agreeing to a payment plan for a combined total of \$15,000; the clients will receive their final installment in March 2008. (2/25/2008)
- ◆ The Clinic obtained dismissals in two separate unlawful detainer (eviction) actions filed against an East Palo Alto resident. The client's landlord first attempted to evict the client without stating good cause as is required by the local Rent Stabilization Ordinance. Clinic students **Jessa Barnard ('08)** and **Emily Watts ('09)** filed a demurrer (motion to dismiss), which was granted by the Santa Clara County Superior Court. Based on that litigation success, the students then persuaded the landlord to voluntarily dismiss the other lawsuit, and they obtained a judgment ordering the landlord to pay the client's court costs in both actions. Teaching Fellow **Jessica Steinberg** supervised the case. (2/28/08)
- ◆ **Erik Christensen ('08)** took on the case of a day laborer who had sustained injuries to his hand while moving furniture and was subsequently deserted at the hospital by his employer. Erik negotiated a favorable settlement with the employer to help compensate the client for his lost wages and medical bills. The hospital ultimately agreed to a significant reduction of the client's medical bills, so that he is paying an amount consistent with what an insurance company would pay, instead of the much larger amounts billed to uninsured patients. This agreement will allow the client to recover a greater portion of his original settlement with the employer. (3/13/2008)
- ◆ **Larisa Bowman ('09)** and **Evan Pena ('09)** vigorously defended an eviction action on behalf of a tenant who had been illegally harassed by his landlord. Larisa and Evan filed a response to the landlord's complaint in Superior Court and then propounded interrogatories and noticed the landlord's deposition. In securing a dismissal of the eviction action in favor of their client, Larisa

and Evan also obtained a major concession from the landlord—free rent for their client and his two children for the next 4 months. Teaching Fellow **Jessica Steinberg** supervised the case. (5/9/2008)

- ◆ **Mark Finucane ('09)** represented a tenant in an eviction case who was served with a 60-day notice terminating her tenancy. Because the client was a participant in the Section 8 Voucher program, a little-used California law entitled her to 90 days notice before her landlord could sue her for eviction. Mark filed a demurrer (motion to dismiss) on her behalf, and argued it successfully before the Law & Motions judge of the San Mateo Superior Court. Professor **Juliet Brodie** supervised the case. (5/9/2008)
- ◆ **Peter Bach-y-Rita ('09)** handled an eviction case that arose when city building inspectors discovered a tenant occupying an illegal garage unit that the tenant believed she had lawfully rented from her landlord. Peter brought both parties to the negotiating table and artfully crafted a settlement agreement that both allowed the landlord to meet his obligations under local law and provided the tenant with compensation and sufficient time to find a new unit. Teaching fellow **Jessica Steinberg** supervised the case. (5/9/2008)
- ◆ **Katie Burghardt ('08)** enjoyed recent success on behalf of a client who was seeking to expunge his criminal record. In the course of one week, seven expungement motions were granted for her client. Those seven motions represented the entirety of the convictions listed on the client's record. On the first hearing date, a judge in the Palo Alto Superior Court granted all four of her submitted motions without hesitation. On the second hearing date, a judge in the San Jose Superior Court granted two discretionary motions and one mandatory motion. Her client is still in shock that he was granted a second chance. (5/15/2008)
- ◆ **Chris Kramer (JD/MBA '09)** spearheaded SCLC's first foray into the California legislature, representing a client seeking an amendment to a provision of the Labor Code outlawing retaliation against workers who seek to enforce their labor rights. Working in collaboration with the California Rural Legal Assistance Foundation, Chris helped to draft an amendment, research and summarize all the case law on the existing provision and its federal analogs, and to prepare testimony to be delivered by Professor **Juliet Brodie**. The bill (SB 1244) has passed in both Senate committees to which it was assigned, and the Clinic awaits Assembly proceedings this summer. (5/18/2008)
- ◆ **Christina Rubalcava ('08)** scored a tremendous settlement of \$15,000 for a truck driver who worked an average of 11 hours a day, 6 days a week and never received any overtime pay. Christina, together with **Amy Morgenstern ('09)**, filed a complaint with the Division of Labor Standards Enforcement and spent weeks carefully researching a complex state and federal regulatory scheme governing her client's wage and hour rights. Teaching Fellow **Jessica Steinberg** supervised the case. (5/18/2008)

Supreme Court Litigation Clinic

- ◆ The clinic continued to gain steam this year, serving as a lead briefing-and-arguing counsel in six merits cases and working on several other cases at the merits and certiorari stages. The merits cases were:
 - *Kennedy v. Louisiana*, in which the Court granted the clinic's cert petition, then sided with the clinic in holding that the Eighth Amendment does not allow the death penalty to be imposed for any crime against an individual in which the victim does not die. The team of students on the case included **Andrew Dawson ('08)**, **Ruthie Zemel ('09)** and **Patrick Nemeroff ('09)**. **Jeff Fisher** was the lead instructor and argued the case. Joanne Newman, as with all clinic cases, provided paralegal and administrative assistance as well.

- *Riley v. Kennedy*, in which the Court ruled against the clinic's clients in holding that section 5 of the Voting Rights Act did not require Alabama to obtain preclearance of a plan to fill vacancies on a county commission by gubernatorial rather than special elections. The team of students on the case included **Erica Ross ('09)**, **Thomas Haymore ('09)**, and **Alan Bakowski ('08)**. **Pam Karlan** was the lead instructor and argued the case.
- *Greenlaw v. United States*, in which the Court granted the clinic's cert petition, and then adopted the clinic's argument in holding that federal courts of appeals may not increase criminal defendants' sentences when the government does not appeal those sentences. The team of students on the case included **Rachel Lee ('09)**, **Scott Coyle ('08)**, and **Menaka Kalasar ('09)**. **Amy Howe** was the lead instructor and argued the case.
- *Meacham v. Knolls Atomic Power Laboratory*, in which the Court ruled for the clinic's client in holding that employers, not employees, bears the burden under the Age Discrimination in Employment Act of proving that it fired employees based on "reasonable factors other than age." The team of students on the case included **Scott Noveck ('09)**, **Michah Block ('09)**, and **Alan Mouristen ('09)**. **Kevin Russell** was the lead instructor and argued the case.
- *Burgess v. United States*, in which the Court held that the clinic's client's prior conviction subjected him to a federal statutory sentencing enhancement for people previously convicted of "felony drug offenses." The team of students included **Barbara Thomas ('09)**, **Alan Bakowski ('09)**, and **Scott Stewart ('08)**. **Kevin Russell** and **Jeff Fisher** were the lead instructors on the case and Jeff argued it.
- *Virginia v. Moore*, in which the Court ruled against the clinic's client and held that police do not violate the Fourth Amendment by arresting and searching a person for a state offense for which state law prohibits arrest. The team included **Scott Stewart ('08)**, **Tom Zimpelman ('08)**, **Anna Neill ('08)**, and **Steve Siger ('08)**. **Tom Goldstein** was the lead instructor and argued the case. (6/30/2008)
- ◆ The clinic also served as co-counsel in two other merits cases this term: (1) *Crawford v. Marion County Bd. of Elections*, in which the Court ruled against the clinic's clients in a facial challenge to Indiana's voter ID law. The team included **Daniel Elizondo** and **Achyut Phadke**. **Pam Karlan** was the lead instructor, with Ken Falk for the ACLU as lead counsel for our clients, and counsel for the others petitioners before the Court in the two consolidated cases, Paul Smith, argued the case. (2) *New York Bd. of Elections v. Lopez-Torres*, in which the Court ruled for the clinic's clients in upholding New York's method of electing judges. The team included **Erika Myers**, **Achyut Phadke**, and **Molly Cutler**. **Tom Goldstein** was the lead instructor and Andrew Rossman of Akin Gump argued the case of our clients. (6/30/2008)
- ◆ The clinic filed an amicus brief in *Richlin Security Serv. v. Chertoff*, in which the Court held that a prevailing party in a civil rights lawsuit may recover paralegal fees under the Equal Access to Justice Act. The clinic successfully represented the National Association of Legal Assistance and the Paralyzed Veterans of America. The team included **Achyut Phadke** and **Molly Cutler**, and **Amy Howe** was lead instructor. (6/30/2008)
- ◆ The clinic represented clients in defeating four petitions for certiorari: (1) certain plaintiffs who won a voting rights case (unrelated to Riley) in Alabama (**Patrick Nemeroff** worked on the case under **Pam Karlan's** instruction); (2) a state prisoner who obtained habeas corpus relief (**Thomas Haymore**, **Andrew Dawson**, and **Menaka Kalasar** worked on the case under **Pattie Millet's** instruction); (3) a high school basketball coach suing the NCAA as a state actor for constitutional violations (**Chad Clamage**, **Sarah Craven**, and **Steve Siger** worked on the case under **Amy Howe's** instruction); and (4) a class of plaintiffs seeking to hold the State of Florida officials liable, over assertions of qualified immunity, for widespread violations of the Drivers Privacy Protection

Act (**Alan Bakowski, Scott Stewart, and Sarah Craven** worked on the case under **Kevin Russell's** instruction). (6/30/2008)

Youth and Education Law Project

- ◆ On Friday, August, 31, the Legal Clinic's Youth and Education Law Project (YELP) celebrated a significant victory when United States District Court Judge Jeffrey White (N.D. Cal.) approved a comprehensive settlement agreement in a complex disability and educational rights matter. YELP and co-counsel, Bingham McCutchen, LLP, brought the action against the California School for the Deaf (CSD) and the California Department of Education (CDE) on behalf of their client J.C.—a deaf child with autism—who was excluded from the CSD because of her developmental disabilities. As part of the settlement, CSD will create an environment for developmentally delayed students at the school, while the court will maintain supervision over the case for the next three years. Over the course of the last year, Clinic students **Ruth Barnes ('07), Hope Bennett ('07), Brian Bilford ('08), Erica Blachman ('07), Laura Johnson ('07), Peter Khalil ('07), Esther Kim ('07), Jonathan Olinger ('08), Will Rawson ('08), Rebecca Thalberg ('07), Julie Wahlstrand ('08), Caitlin Weisberg ('08), and Ashley Yeargan ('08)** have done everything from motion practice to discovery to expert witness work in the case. They worked under the supervision of YELP Director **Bill Koski**, YELP teaching fellow, **Molly Dunn**, and YELP's paralegal, **Joanne Newman**. (9/3/2007)
- ◆ A.C. suffers from both cortical visual impairment and traumatic brain injuries, and requires the expertise of a teacher for the visually impaired, as well as orientation and mobility instruction. Despite those needs, and without having conducted any additional assessments, A.C.'s school district demanded that she be moved to a "non-categorical" classroom for children who do not have visual impairments. YELP students **Inbal Naveh ('09) and Alexis Casillas ('09)** plunged into the case by interviewing witnesses, developing expert witness testimony, filing pre-hearing documents, and preparing for a hearing that seemed inevitable. To the delight (and surprise) of A.C.'s family, and due to the terrific hearing preparation work of YELP, the school district withdrew its fair hearing complaint during mediation two weeks ago and A.C. gets to remain in her classroom—a complete victory for A.C. (10/30/2008)
- ◆ For several months last school year, J.O., a hard-of-hearing middle school student, was denied the sign-language interpreter services specified in his individual education plan under the Individuals with Disabilities Education Act. Hoping to swiftly resolve the matter, YELP student **Peter Khalil ('07)** attempted to negotiate with the school district to secure an appropriate interpreter. When that effort proved fruitless, Peter filed a complaint with the California Department of Education. That complaint prompted the District to negotiate with YELP and resulted in a favorable settlement of the matter that included the hiring of a sign-language interpreter (as well as provision for the interpreter's absence) and nearly \$15,000 in compensatory education services for J.O. Congratulations to Peter and supervisor **Bill Koski**. (10/30/2007)
- ◆ For 11 years, YELP has been leading a class action lawsuit against the California Department of Education (CDE) and the Ravenswood City School District (the District) seeking to reform the District's policies, establish data-keeping systems, and improve service delivery to children with disabilities in the District. That progress is being threatened, though, by the local District's critical staffing crisis this past fall that has left hundreds of students in the District without appropriate special education services. YELP students **Rachel Velcoff ('08) and Craig Zieminski ('08)** conducted extensive research into the court's powers to enforce its orders and the responsibilities of state education agencies under the Individuals with Disabilities Education Act. Their brief was central in a December 20, 2007 order that directed the CDE to not only provide personnel to assist the district and to ensure that the staffing crisis is resolved, but also ordered that the CDE analyze the extent of the services denied to students and ensure that each such student is offered compensatory education for such deprivations. (3/20/2008)

- ◆ YELP students **Rachel Velcoff ('08)** and **Craig Zieminski ('08)** represented the family of a thirteen year old middle school student who had been expelled for bringing a pellet gun to school. The students conducted extensive legal research and fact investigation of the incident, and counseled the family of their procedural rights regarding his expulsion. More importantly, YELP carefully reviewed student's academic history, which revealed a troubling pattern of behavior problems that had been left unaddressed by the school district. The law students carefully negotiated an agreement with District administrators which would permit this student to return to a regular school program following the successful completion of his expulsion. YELP's effective advocacy on behalf of this student resulted in his return to a regular academic program. (3/20/2008)