




UNIVERSITY OF VIRGINIA  
SCHOOL OF LAW

**PUBLIC  
SERVICE**

A black and white close-up photograph of Robert F. Kennedy. He is shown from the chest up, wearing a dark suit jacket, a white collared shirt, and a dark tie. His hair is dark and neatly styled, with a pair of glasses perched on top of his head. He is looking slightly to the left of the camera with a serious, focused expression. In the lower-left foreground, the top of a microphone is visible, suggesting he is speaking at a podium or during a public address. The background is out of focus, showing vertical lines that could be part of a building or a stage setting.

“Each time a man stands up for an ideal or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers, those ripples build a current which can sweep down the mightiest walls of oppression and resistance.”

—Robert F. Kennedy, '51

# Public Service Law at Virginia

Virginia upholds Thomas Jefferson's conviction that lawyers have a special obligation to serve the public interest. The School of Law is committed to upholding his ideal of public responsibility and to nurturing the civic virtues that support it: integrity, civility, and service.

The Law School's Pro Bono Project encourages all students to perform at least 25 hours of free legal work annually. In a typical year Virginia law students contribute more than 10,000 hours to assisting indigent clients and nonprofit organizations.

Virginia's loan forgiveness program removes the burden of debt repayment from students who choose lower-paying public service careers, making virtually any career a practical possibility. The Law School also offers tens of thousands of dollars in fellowships to students embarking on public service careers as well as generous support for students engaging in public service projects during the summer. Practical experience in public interest law is offered through the Pro Bono Project and in a dozen clinics focusing on areas such as child advocacy, housing, criminal defense, capital punishment, environmental protection, and international human rights.

In 2004, the Law School developed a pro bono partnership with the Richmond-based law firm of Hunton & Williams. The partnership combines pro bono services of the firm's attorneys with the assistance of volunteer law students to represent indigent clients in the areas of immigration/asylum and family law. The Pro Bono Partnership reflects the Law School's and the firm's commitment to the ideal of access to justice.

## THE MORTIMER CAPLIN PUBLIC SERVICE CENTER

The Mortimer Caplin Public Service Center is the School's focal point for public service programming and outreach. The Center oversees the Law School's pro bono and public service efforts, which include

- The annual Public Interest Job Fair
- Coordination of summer internships and postgraduate fellowships
- Career panels and workshops featuring speakers from the public service sector
- The *Public Service Resource Guide*, a job search handbook
- Individualized career counseling and an extensive resource library
- A weekly e-mail with public service and pro bono news
- Assistance to the student organizers of the Conference on Public Service & the Law, PILA, and other public service organizations
- Administration of the Virginia Loan Forgiveness Program

## CENTER STAFF

Kimberly C. Emery '91—*Assistant Dean for Pro Bono and Public Interest; Co-director, Mortimer Caplin Public Service Center*

Molly Bishop—*Director of Public Service; Co-director, Mortimer Caplin Public Service Center*

Rebecca P. Peters—*Office Manager*

## THE PRO BONO PROJECT

The Pro Bono Project strives to incorporate an ethic of service in each student's educational experience and encourages students to volunteer at least 25 hours annually to projects of their own choosing. Graduating students who complete 75 hours of pro bono work are recognized in the graduation brochure and at a ceremony during graduation weekend. A graduating student who demonstrates an extraordinary commitment to pro bono is also honored with the annual Pro Bono Award.

The Public Service Center maintains a database and sends a weekly e-mail that offers students easy access to a wide array of pro bono projects. Qualified placements include nonprofit organizations, attorneys and law firms working on pro bono cases, local governmental offices, legal services organizations, and federal government agencies.

Working under the supervision of an attorney, volunteers hone their legal research and writing skills, develop client-interviewing techniques, conduct policy analysis, produce legal documents such as motions and interrogatories, and, with a third-year practice certificate, provide in-court representation. Recent projects have included

**Becket Fund for Religious Liberty (D.C.)** Students provide research and writing assistance on issues of religious freedom.

**Charlottesville/Albemarle Public Defender's Office** Students assist attorneys with all aspects of indigent criminal defense.

**EarthRights International (D.C.)** Students provide legal research and policy analysis on a variety of international human rights issues.

**Legal Aid Intake Project** Student volunteers provide client intake services for the local legal aid office at soup kitchens, homeless shelters, senior centers, and the University of Virginia Hospital's Children's Medical Center.

## VIRGINIA LOAN FORGIVENESS PROGRAM

The Law School is committed to making public service a viable career option for its graduates, and as a public institution of the Commonwealth, to enabling graduates to practice in underserved areas in Virginia. The Virginia Loan Forgiveness Program provides financial assistance with annual law school loan payments. Graduates who enter public service employment within two years of graduation and earn less than \$60,000 per year are eligible.

### Benefits

Graduates who earn less than \$35,000 per year are presumed unable to pay their Law School education loans. They receive 100 percent assistance for the year. Those who earn \$35,000–\$60,000 are presumed able to pay one-half of their income above \$35,000 toward loan repayment. For example, if a graduate has an annual loan payment of \$10,000 and earns \$40,000, the program would require the graduate to contribute \$2,500 each year (half of what the graduate earns over \$35,000) and the Program would provide \$7,500 each year. For married graduates, spousal income minus graduate debt is taken into account in calculating benefits.

### Eligibility

Public service employment is defined broadly to include jobs worldwide with federal, state, or local governments, legal aid offices, prosecutors, public defenders, public interest organizations, and legal reform groups that qualify as nonprofit organizations. Graduates earning less than \$60,000 in private practice in Virginia are eligible because they are likely to be practicing in an underserved area. Graduates in judicial clerkships are not eligible while clerking, but become eligible if they enter public service employment within two years of graduation or completing their clerkship(s), so long as the clerkship is taken immediately following law school.



Students may find information about available pro bono work through the Law School's Pro Bono Database. The database advertises needed services from the local Legal Aid Society as well as placements in national nonprofit organizations, attorneys and law firms working on pro bono cases, local government offices, legal services organizations, and federal government agencies.



**Alex Gulotta, Executive Director of the Legal Aid Justice Center, meets with pro bono law student volunteers.**

## **PUBLIC SERVICE CLINICS**

### **Advocacy for the Elderly**

Students represent elderly clients in negotiations, administrative hearings, and court proceedings on a variety of legal matters, including basic wills and powers of attorney, guardianships, consumer issues, Medicaid and Medicare benefits, nursing home regulation and quality of long-term care, elder abuse and neglect, and advance medical directives.

### **Appellate Litigation**

Students brief and argue one or more appeals before a federal appeals court.

### **Capital Post-Conviction**

The clinic centers on cases assigned to the Virginia Capital Representation Resource Center. Students work on appeal-related, certiorari, and post-conviction issues and may also work on habeas petitions at the state and federal level.

### **Child Advocacy**

Students represent children involved in legal issues in the areas of education, foster care and social services, mental health and developmental disabilities, and laws governing delinquency. Students represent children in negotiations and administrative hearings, and participate in court proceedings to the extent permitted by law.

### **Criminal Defense**

Students represent defendants in criminal cases in local courts. Students develop a working familiarity with grand jury proceedings, indictments, immunity grants, pretrial motions, pretrial discovery, plea bargaining, motions and objections during trial, evidentiary issues, post-trial motions, sentencing, and protecting the record for appeal.

### **Employment Law**

Cases may include wrongful-discharge actions, unemployment compensation claims, employment discrimination charges, and other claims arising out of the employment relationship.

### **Environmental Practice**

The clinic is offered in conjunction with the Southern Environmental Law Center in Charlottesville. Typical cases include Clean Water Act citizen suits, wetlands issues, air permit appeals, road projects, NEPA challenges, and forest management cases.

### **First Amendment Law**

The clinic is run in conjunction with the Thomas Jefferson Center for Protection of Free Expression in Charlottesville. Litigation and nonlitigation projects are undertaken in First Amendment subject areas, particularly freedom of expression in the arts, commercial speech and advertising, educational settings, and in broadcasting media and the Internet.

### **Housing Law**

The caseload includes administrative proceedings and other matters for indigent clients, including issues under private landlord-tenant contracts, federally subsidized rental programs, and the Fair Housing Act and the Americans with Disabilities Act. Students handle eviction cases, rent escrow cases, grievance hearings, and other enforcement of residents' rights.

### **International Human Rights Law**

Students gain firsthand experience in human rights advocacy under the supervision of international human rights lawyers.

### **Immigration Law**


Students may work with clients appealing denials of applications for status, appealing for special categorization or procedures, or clients who have cases complicated by past criminal or immigration histories. Students are assigned several clients and handle at least one complex case involving extensive client interviewing, factual investigation, and legal briefs. The clinic also covers basic ethics and professional responsibility issues, and skills such as eliciting information from abuse victims and working through cultural and language differences.

### **Mental Health Law**

Students represent mentally ill or mentally disabled clients in negotiations, administrative hearings, and court proceedings on legal matters involving Social Security, Medicaid, disability benefits claims, disability discrimination claims, access to housing, advance directives for medical care, and access to mental health or rehabilitative services. Students also analyze policies and develop legislative proposals.

### **Prosecution Clinic**

Students undertake a prosecutor's duties, including the exercise of discretion in the decision to prosecute, interaction between prosecutors and law enforcement personnel, dealing with victims and witnesses, and relationships with defense counsel. The clinic covers arrest, first appearances, bond hearings, preliminary hearings, grand jury, suppression hearings, competence and sanity issues, motions *in limine*, and trial.



**“The Powell Fellowship is emblematic of the Law School’s commitment to a lofty ideal—that class shouldn’t matter when it comes to access to quality legal services. The staff at the Public Service Center have embraced that ideal wholeheartedly and work every day to help its students and graduates make it a reality.”**

**—Angela Ciolfi ’03 used her Powell Fellowship to work for the Legal Aid Justice Center on children’s education issues**

## **PUBLIC SERVICE FELLOWSHIPS**

The Mortimer Caplin Public Service Center offers intensive guidance to students applying for internships and postgraduate fellowships.

### **Powell Fellowship**

The Powell Fellowship in Legal Services, honoring former Supreme Court Justice Lewis F. Powell, awards \$35,000 to a graduating student or to a judicial clerk. The fellowship enables him or her to work under the sponsorship of a public interest organization to enhance the delivery of civil legal services to the poor. The award is made for one year with the expectation that it will be renewed for a second year. The fellowship is awarded on the basis of the student's project proposal and personal qualities.

### **The Mortimer Caplin Public Service Fellowship**

Established by Mortimer Caplin '40, former Commissioner of the Internal Revenue Service under President John F. Kennedy, the Mortimer Caplin Public Service Fellowship provides \$5,000 per year to a rising third-year student for his or her final year at the Law School and first two years of public service employment.

### **Linda Fairstein Public Service Fellowship**

Established by classmates of Linda Fairstein '72, former chief of the sex crimes unit at the New York County District Attorney's Office, the fellowship provides \$5,000 per year to two rising third-year students for three years provided the students are employed in public service.

### **Claire Corcoran Award**

This award is presented to one or two second-year students who have demonstrated an extraordinary commitment to public interest work (\$1,500 or \$750).

### **Monroe Leigh Fellowship in International Law**

The Monroe Leigh Fellowship in International Law, administered by the School of Law's Center for National Security Law and Center for Oceans Law and Policy, provides a total of \$10,000 for one or two students to pursue a public international law project of their own choosing during the summer following the first or second year, during the fall and/or spring of the third academic year, or for a postgraduate internship.

### **PILA Summer Fellowships**

This student-administered program provides more than \$200,000 in summer funding to law students who accept low-paying or unpaid public service internships. Fellowships are funded by contributions from Virginia law students, faculty, staff, and alumni and matched by a grant from the Law School's Foundation.

Several awards are given at graduation to students committed to community and public service:

- Herbert L. Kramer/Herbert Bangel Community Service Award (\$3,500)
- Mortimer Caplin Public Service Award (\$2,500)
- Robert F. Kennedy Award for Public Service (\$500)
- Pro Bono Award

## PUBLIC SERVICE STUDENT ORGANIZATIONS

**Action for a Better Living Environment** volunteers provide mentorship, friendship, and support to underprivileged children in the Charlottesville community on a weekly basis.

**The Conference on Public Service & the Law** annually brings together students, faculty, litigators, and policymakers to explore public interest issues facing the legal community. The conference sparks debate on subjects generally left outside the classroom, generates support for social justice issues, and stimulates student interest in public service. Students learn about the daily activities of practicing public interest attorneys, the public interest job market, and the rewards of working for social justice.

**The Domestic Violence Project** educates the public about domestic violence through discussion panels and films, monitors juvenile and domestic courts to inform abused women about services available to them, and sends volunteers to the Shelter for Help in Emergency.

**The J.B. Moore Society of International Law** focuses on the development of international law and pro bono human rights projects. The J.B. Moore Society has partnered with the International Rescue Committee to help with local refugee resettlement cases.

**The Legal Assistance Society** helps underprivileged people in Charlottesville and the surrounding area through six project groups, including the Domestic Violence Project, the Legal Education Project, the Migrant Farmworkers Project, and Rappahannock Legal Services.

**The Public Interest Law Association** provides fellowships to students who accept volunteer or low-paying summer internships in public service and serves as a support network for students interested in the public sector. PILA hosts an annual auction that raises the majority of money used to fund summer fellowships.

**Rape Crisis Advocacy Project** supports survivors of rape and sexual assault through advocacy, legal research, and education. Projects include volunteering through Charlottesville's Sexual Assault Resource Agency to work with pro bono attorneys on survivors' noncriminal litigation and working to change laws regarding rape and sexual assault.

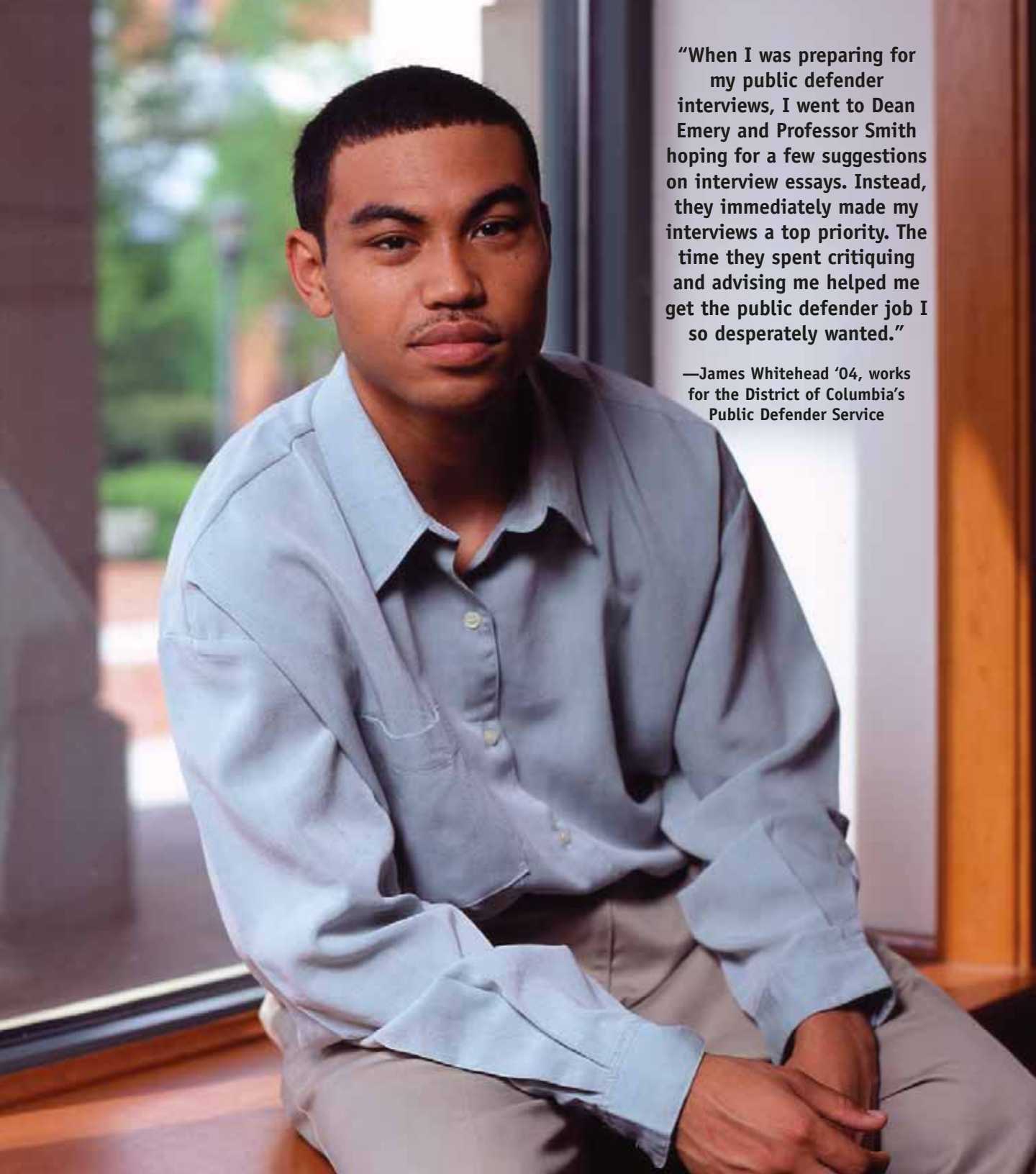
**Virginia Environmental Law Forum** volunteers work on pro bono projects for regional nonprofit environmental groups.

**Volunteer Income Tax Assistance Program** members help low-income and elderly residents in the region complete their income tax returns on Saturday mornings during tax season.

For more information about public service at the University of Virginia School of Law, please call the Mortimer Caplin Public Service Center at 434.924.3883 or visit us online at [www.law.virginia.edu/publicservice](http://www.law.virginia.edu/publicservice)

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**“When I was preparing for my public defender interviews, I went to Dean Emery and Professor Smith hoping for a few suggestions on interview essays. Instead, they immediately made my interviews a top priority. The time they spent critiquing and advising me helped me get the public defender job I so desperately wanted.”**

**—James Whitehead '04, works for the District of Columbia's Public Defender Service**

“The summer after my second year, I worked at Dorsey & Whitney, in Minneapolis, and I had a wonderful experience, arguing a pro bono case in court and working on an appellate brief. But when I got the offer to join the Department of Labor Honors Program, I knew that was what I wanted to do. I’ve always been the public service type. I’m starting in the Special Appellate and Supreme Court Litigation division, working on matters of national employment law. It’s a dream job.”

—**Marne Mitskog '05**, from Fargo, North Dakota, worked for the Legal Aid Justice Center in the summer following her first year, and for the Minneapolis firm of Dorsey & Whitney and the U.S. Department of Labor following her second year. She received the Mortimer Caplin Public Service Award, given to a graduate entering a career in the public service sector who demonstrates the qualities of leadership, integrity, and service to others.