



Great Asylum Outcomes for Clinic Clients

LGBT Advocacy Clinic students **Mark Bhuptani '21**, and **Jennifer Rabbino '21**, recently won asylum for a client from South America who fled horrific anti-gay abuse in his native country. The client had endured homophobic mistreatment throughout his life, including a beating so violent he lost two teeth. Mark and Jenn worked for months to document his ordeal, including by getting a medical evaluation to document his injuries, expert witness testimony about the conditions in the client's country, and affidavits from half a dozen family members and friends who had witnessed the mistreatment he endured. They also prepared a detailed statement from the client telling his story in detail, and a legal brief in support of his claim. After the client was interviewed at the New York Asylum Office in February 2020, he was granted asylum two weeks later. He no longer has to fear being deported to face beatings, rape, or even murder because he is gay, and is now re-building his life in the United States.

Two **Safe Harbor** clients also were granted asylum. Ms. A, a young lesbian woman who was born and raised in Saudi Arabia, fled after suffering severe physical abuse, forced marriage and conversion therapy because of her family and government's refusal to accept her sexual orientation. She is eager to begin her life anew in the United States, where she hopes to be able to put her past behind her, fall in love, be married to a partner of her choosing and have at least one child.

In another long pending case, a West African Safe Harbor client, whose case began in fall 2017, was granted asylum in Immigration Court. His original student team, **Allison Cunneen '19**, **Andrea Sheerer '19**, and **Bojun Zhang '19**, started working on the case during their fall 2018



semester under **Professor Dan Smulian's** supervision. **Janice Zelmati, LL.M. '18**, (in photo at left) interpreted for our client and became part of the team. The case eventually was referred to Court where a hearing began in May 2019. All of the students, who by then were almost graduated, attended the hearing at

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which time our client testified on direct examination. The hearing was continued until February 2020. After dragging on for so long, by this time, the team had graduated and passed the bar exam. But they remained committed to their client. At the conclusion of the evidence, the IJ brought tears to the eyes of Janice and Allison who both came to court from their respective jobs, as well as our client, when she said, in effect, that he was the person the asylum laws were written to protect since his torture and bravery were abundantly clear.

LGBT Clinic Fights for Parents' Rights

LGBT Advocacy Clinic students **Megan Adams '20**, **Ken Law '20**, and **Beth Potter '20** represented "Amanda," a married lesbian woman whose wife had recently given birth to their infant son. Amanda wanted to make sure she would be recognized as her son's parent, even though he was conceived using donor sperm and she is not biologically related to him. Amanda could have filed a stepparent adoption petition but felt uncomfortable doing so because she and her wife had planned her son's conception together and were always his parents. Amanda did not consider herself a stepparent to her son. So in a bid to confirm Amanda's existing parental relationship, the LGBT Clinic team drafted a petition for an order of filiation, or parentage, to file in Family Court on her behalf. Filiation cases are usually brought by men seeking to establish paternity, but the clinic argued that women like Amanda should also be able to obtain a court order affirming parentage. The clinic student team filed the petition in Kings County Family Court in February 2020, but unfortunately the court closed due to the pandemic just before Amanda's scheduled court date. The clinic now hopes to have a hearing on Amanda's petition sometime in the next few months. In the meantime, New York State just adopted new legislation called the Child Parent Security Act (CPSA) that will explicitly allow non-biological parents to petition for a Judgment of Parentage confirming their parental rights over children conceived using alternative reproduction. The CPSA was included in the governor's budget and will take effect in February 2021. The LGBT Clinic looks forward to securing Amanda's legal rights to her son and helping more LGBTQ parents protect their children using the new law in the future.

Prof. David Reiss Steers NYC Rent Guidelines Board Through Turbulent Times



Community Development Clinic Professor David Reiss is serving his second year as Chair

of the NYC Rent Guidelines Board. Not an easy job in normal times, the RGB is navigating the difficult waters created for tenants and property owners as a result of the COVID crisis. [Watch](#) Professor Reiss conduct the meeting to determine the preliminary annual adjustments for rent guidelines for the nearly one million units of rent stabilized housing in the City.

Criminal Defense & Advocacy Clinic (CDAC) Takes on New Legislation

Clinic students kicked off the Spring 2020 semester by observing Manhattan's Alternative to Incarceration Court and discussing the court's operations with Supervising Judge Ellen Biben (fourth from left). The visit was a way to begin exploring criminal legal system responses to felony offenses that don't necessarily center on prison or jail.



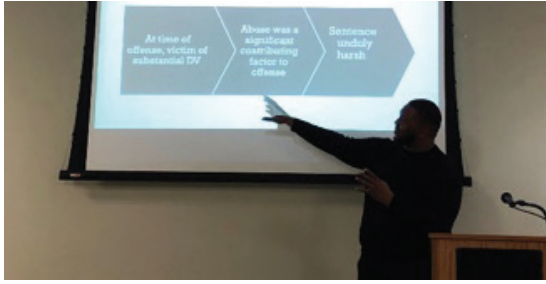
Clinic teams then began their vigorous work on behalf of incarcerated survivors of gender-based violence. Using a new law, the Domestic Violence Survivors Justice Act, which went into effect in August 2019, CDAC quickly set out to identify incarcerated survivors, begin investigating cases and prepare pleadings seeking resentencing. CDAC currently represents eight incarcerated survivors who collectively were sentenced to a minimum of 160 years in prison. Half of the people the clinic is working with are facing life in prison, and three were initially prosecuted as teenagers. Altogether, the survivors working with the clinic have already served over 105 years in prison.

To track the implementation and impact of the new law, CDAC has partnered with the Public Science Project and Graduate Research Center at the City University of New York. Because the law is already considered a potential model for other jurisdictions, it is critical that what is happening in New York be carefully documented and analyzed. Accordingly, right before the COVID-19 closures began, the CDAC team trained the graduate students and an advisory group of formerly incarcerated women on the elements of the law. The interdisciplinary project devised categories to track to make sure survivors were connected with legal representation across the state and to monitor accountability around the new practice.

With the **Disability & Civil Rights Clinic**, CDAC used the information gathered about many incarcerated survivors from its formal and informal networks to build a rapid response clemency project. Over the first few weeks of the pandemic, CDAC and DCRC teams collected information about medically vulnerable women in New York State prisons, many of who are domestic violence survivors, and advocated for their release with the Governor's office.

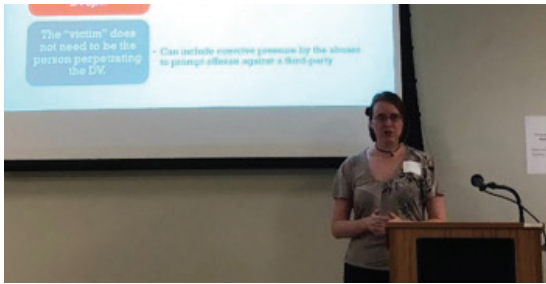
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Criminal Defense & Advocacy Clinic (CDAC) continued



CDAC students **Jermaine Cherry '20**, (left top) **Nicole Sowers '21**, (left middle) and **Amani Abuhamra '20** (left bottom) present the elements of the Domestic Violence Survivors Justice Act to the interdisciplinary research team.

Even after COVID-related closures and the transition to remote classes, CDAC forged ahead. Meeting on Zoom (below) and maintaining regular contact with incarcerated clients by email and legal calls, the teams continued to prepare resentencing petitions.



Pandemic Employee Relief Clinic (PERC)

This summer **PERC**, will open its doors to address the needs of workers who have been denied unemployment insurance or faced discriminatory action from employers as a result of the coronavirus pandemic. Under the supervision of Professor Minna Kotkin, Director of the **Employment Law Clinic**, students will provide free legal advice and possible representation for workers in the community, particularly freelancers, gig workers, and those not normally eligible for unemployment insurance, as well as those facing pandemic-related employment discrimination or "back-to-work" concerns. More than 100 students have signed up to participate as of the end of May.



CDAC on Zoom

Our Hybrid Clinics Provide Significant Litigation Experience to Students

CLARO Clinic Protects Client from Illegal Judgment

In NYC Civil Court, nothing is simple. At Civil Legal Advice and Resource Office (CLARO), Ms. Z was assisted by law students **Anthony DeLorenzo '19** and **Leslie Hansen '20**, who are supervised by Adjunct Clinical Professor **Professor Sidney Cherubin**. In 2003, Ms. Z had signed as guarantor on a rent-stabilized apartment lease for two Russian immigrants, Mr. and Mrs. B, who were looking for a place to live. The guaranty rider on that lease purported to obligate Ms. Z as guarantor for that lease, and all renewals for the next twenty-five years. Ms. Z had not seen or spoke to Mr. and Mrs. B since 2003. In fact, the couple had died around 2017 and their grandson lived in the apartment without paying rent. The landlord and the grandson settled the eviction action in housing court. The tenant agreed to leave voluntarily, waive eviction proceedings, and received \$3,7000. Despite settling with the actual occupant, the landlord turned to Ms. Z for full payment of the two-year lease.

Research by law student, **Joseph Giacona '21**, revealed that the terms of the lease stated that the guaranty rider was itself a material term of the contract, and the rental term

in the lease that the landlord was suing on had risen from \$998.01 per month on the lease that Ms. Z had actually signed to \$1,408.78. Since Ms. Z had never agreed to those changes because she had not signed any renewal guaranty riders, the VLP argued that she was not liable to fulfill the sum of the rent sought by the landlord. The court agreed and Ms. Z was cleared of any liability to the landlord.

One of the objectives of the Volunteer Lawyers Project is to reweight the power imbalance between contracting parties by empowering regular people to assert their rights in court. Many contracts that we encounter incidental to ordinary life are authored by one side only—like auto-loans, apartment leases, or credit card agreements. These contracts might contain terms that are legally unenforceable, but without legal expertise or representation it may be difficult for a party to identify the issues and argue them in court. The VLP was able to avoid a situation where Ms. Z agreed to pay a portion of a sum she was not legally obligated to pay any part of as a part of a deceptive “sweet deal” settlement offered by plaintiff, or, worse, a judgment against her in the full amount.

Prosecutors: US Attorney EDNY

On Monday March 9, 2020, student prosecutors in the Federal Prosecutors Clinic, taught for many years by **AUSA Patricia Notopoulos, Justin Heller '20, Rachel DiBenedetto '20, and Manipal Singh '20**, conducted a bench trial under the supervision of Assistant United States Attorney Douglas Pravda. A former VA Hospital security guard was charged with Sexual Assault in the third degree as well as Simple Assault for allegedly, without consent, touching a special needs student on the buttocks while making sexually suggestive comments. After Mani's opening statement, the students presented witnesses including the victim and those to whom she reported the event to



including a friend, her teacher, a detective and a psychiatrist. After Justin's closing, Magistrate Judge Orenstein found the defendant guilty on both charges.

Federal Litigation: US Attorney EDNY

On January 21, 2020, **Kate Cassirer '21**, had the memorable opportunity to conduct oral argument before U.S. District Court Judge LaShann DeArcy Hall in *Elena Cruz-Hernandez v. Commissioner of Social Security*. The Plaintiff, who suffered from vision, hearing, and balance issues as a result of an inner ear disorder called Meniere's disease, had filed an appeal to the Commissioner's decision denying her disability insurance benefits. Kate represented the government at the oral argument, arguing that substantial evidence supported

the Commissioner's finding regarding Plaintiff's residual functional capacity, and that the ALJ properly declined to give treating physician opinions full weight in this case. After hearing from both sides, Judge DeArcy Hall remanded the case back to the ALJ for further clarification as to the extent of the plaintiff's vision impairment. Although the government did not prevail, the judge specifically commended Kate for her strong arguments and presentation. Kate was supervised by Adjunct Clinical Professor **AUSA Joseph Marutollo**.

BLIP Spreads Its Wings into Many Projects

BLIP students worked on myriad projects some in concert with our Justice Lab. These projects include the following (some are still in development):

COVID Safe Paths

BLIP has pivoted much of its focus this spring to work on multiple COVID mitigation efforts. Most prominently, BLIP has been providing legal and policy support to help MIT build a privacy-sanctifying Contact Tracing App to help mitigate the spread of COVID-19. You can download and install here:

[Android](#) [iOS](#)

BLIP is also working with the Safe Paths folks, as well as others in the COVID and privacy communities to build a set of privacy principles and standards that blend the needs of public health with individual autonomy.

The New York Restaurant Paycheck Checker

Restaurants in NY must pay tipped workers according to complex rules that require extra pay for overtime, long hours, short shifts, and uniform care—and strictly limit deductions for meals and tips. Martin Connor built an app, [The New York Restaurant Paycheck Checker](#), that helps restaurant workers determine if they are getting their legal wage by using a chatbot to answer questions about the worker’s paycheck, and

then preparing a detailed report on the wages the worker is owed under NYS Law.

The app is mutable to help other workers, particularly those that rely on some combination of wages and tips, such as delivery and gig workers, which has become increasingly more relevant and prevalent in the age of “sheltering in place”.

Ask RBGeeves

[Ask RBGeeves](#) is a legal Question/Answer app in development and built by Alyssa Drazin. In times of uncertainty, legal information can be both scarce and exhaustive. This app will help people get trusted legal advice around COVID-19 and the CARES act. This app acts will serve

as an aggregator for sound legal advice around the CARES Act and COVID-19 related questions by open sourcing the data structures and allowing law firms across the globe to upload and manage their own content.

Que Que IP

[Que Que IP](#) is a project still in production to build an easy-to-access online software tool to educate the public on the different forms of intellectual property protection available for their created works and the legal steps that need to be

taken to register their respective intellectual properties. The tool will focus on an audience whose IP inquiries are addressable by the IP law pertaining to the USA.

LIFT

Legal Information for Families Today (LIFT) empowers families to advocate for themselves in Family Court and addresses the emotional ramifications of Court involvement. The BLIP students help build an app for LIFT to provide New Yorkers with easy access to tailored information on common family law concerns. This app will be publicly available via the [LIFT website](#).

BLIP has been revisiting podcasting during this time of remote communications. **BLIPpod** considers issues from tech law to legal tech to topics in startup law and emerging

legal issues. BLIPpod is available on the various podcasting platforms:

[Apple Podcasts](#) [Spotify](#) [Google Podcast](#) [Anchor](#)

Episode One: Professor Jonathan Askin discusses the evolution of BLIP and how law students can best prepare for the Post-COVID-19 world.

Episode Two: Roman Zelichenko '13 shares how he entered the legal tech space and how law students can leverage LinkedIn to build a personal brand.