

PUBLIC INTEREST ADVOCACY
Spring 2021
Tuesday/Thursday 2:30-3:45pm
Room 1101/via zoom

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Office Hours: by appointment via zoom

Introduction

I am overjoyed to be teaching you Public Interest Advocacy. Students often come to law school excited to change people's lives for the better. All too often, they leave dismayed by the intractable obstacles to reform within the legal system. One of the main goals of this course is to help you appreciate just how useful your legal skills are and what a difference you can make to individuals, communities, and society as a whole.

There are many ways in which you can advocate on behalf of those in need and institute meaningful social change. Public interest law is more than litigation—it includes legislative lobbying, administrative interventions, public engagement, and media work. You will learn about all of these types of legal advocacy and more. By closely analyzing case studies and discussing recurring issues in public interest practice, you will be able to resolve the sorts of problems that public interest lawyers regularly confront. You will also be able to identify the various modes of advocacy that will best resolve a legal issue and draft persuasive documents that meet your clients' needs. In short, you will leave this course better able to engage in public interest work of all kinds.

Course Objectives

Upon completing this course, students will develop the following public interest advocacy and writing skills:

Public Interest Advocacy

- Identify the process by which social problems are defined and constructed.
- Understand some of the professional challenges and ethical issues that are associated with public interest lawyering
- Assess fundamental questions about public interest lawyer accountability to clients and broader constituencies, as well as the effectiveness of law as a tool of social change.
- Recognize the variety of possible legal and policy responses to any particular social problems.
- Appraise the interaction between problem definition, proposed solution, and different modes of advocacy that lawyers use in addressing important social problems.

Writing

- Understand strategic choices in document design and construction.
- Identify ways to get and use factual or supporting evidence.
- Craft thoughtful analysis from legal authority.
- Communicate a sound analysis in writing.
- Effectively edit and incorporate feedback.
- Adapt your writing style and tone to suit the document's purpose, structure, and audience.

Course Materials

There is one required book for this class:

- Christine Coughlin et al, *Modern Legal Scholarship* (2020) (MLS in the syllabus)

I have posted additional readings on Canvas. Please review the modules tab on the Canvas site for the assigned readings for each session.

Class Structure

The course includes asynchronous and synchronous instruction. We will be meeting twice a week, once mask-to-mask and once on zoom.

Mask-to-Mask

I am thrilled to be meeting with you in person once a week, albeit socially distanced and masked. The Dean's office has circulated guidelines for mask-to-mask sessions that, among other things, require students to sit in the same seats each session and wear a mask at all times. I expect everyone to follow these policies and will ask any student who does not follow them to leave the classroom.

Zoom Sessions

When we meet on zoom, your camera should be turned ON throughout the entire class session absent exigent circumstances (e.g., Wi-Fi issues). If you have a compelling reason why your camera cannot be regularly turned on, please e-mail me to discuss. Please have your microphone muted unless you are speaking.

Please indicate if you have a question or comment by using the "raised hand" feature in Zoom or send a message in the chat feature.

I know that some of you are logging into class from locations that aren't always private, quiet, or distraction-free. Pets and roommates might wander across the screen and small children might require your attention during class. Please know that I will treat these occurrences with good humor and flexibility. I ask that you show the same to your classmates and me.

I will be recording all of the zoom sessions and posting them on canvas. These recordings will be available for viewing only by students enrolled in the class and are not available for download. You may not record the sessions on your own. Please understand that technical problems or human error may prevent successful recording. Therefore, if you are unable to make it to a particular class, please be sure to ask a fellow classmate to take notes for you.

Class recordings may include events that happen before class officially begins or after it officially ends. Please do not discuss any confidential matters during these periods of time. You are welcome to set up a time or meet with me during office hours.

Asynchronous Sessions

Each week, you will complete asynchronous assignments in lieu of one 50-minute class session. These assignments are due the Sunday after our weekly mask-to-mask and zoom sessions (**Sundays at 11:59pm**).

There are two types of asynchronous assignments. During the first three weeks, you will be completing substantive assignments that engage with the week's readings and discussions. During this time, you should be conducting research for your two writing assignments.

During the remainder of the semester, we will be treating the asynchronous component as "writing labs." Each week, you will be completing portions of your two graded writing assignments and posting your work as your asynchronous assignment. I hope this structure will allow you to stay on top of your writing assignments without overburdening you with unnecessary additional work.

Grading

Your grade is comprised of three components: attendance and participation in mask-to-mask and zoom sessions (10%), asynchronous class assignments (15%), and two writing projects (a public policy paper worth 50% and op-ed worth 25%). The points earned for any assignment are not awarded on any curve. Only the final grade for the course will be curved. Public Interest Advocacy is a three-credit course and is subject to the Modified Mandatory Grading Policy, as outlined in the Student Handbook.

Attendance and Participation (10%)

Attendance is mandatory absent an approved excuse. Students who miss four or more classes will fail the class, regardless of the quality of their work. It is also important you be on time for class, and consistently arriving late will lower your final grade.

Participation consists of meaningfully contributing to class discussion, offering solutions to problems and exercises, and volunteering one's own original ideas. Mere attendance does not suffice. Please come to class prepared to discuss the issues raised in the assigned material.

This class will touch on issues about which you may have strong feelings, possibly based in personal experience, religious conviction, or political views. I ask that you engage with the material and your classmates with compassion and respect. I reserve the right to ask anyone who is incapable of doing so to leave the mask-to-mask or zoom session.

Asynchronous Assignments (15%)

You will be completing various class exercises that will be graded on a P/F scale. Each week's asynchronous assignments are worth a combined total of 50 points. To receive credit for an assignment, you must submit an answer of sufficient quality to receive a passing grade on an exam. Assignments turned in late, but within 24 hours of the deadline, will qualify for half credit. Assignments turned in more than 24-hours after they are due will not be accepted.

Writing Assignments (75%)

You will be responsible for drafting a policy paper (50%) and an op-ed (25%) on a subject of your choosing. On Canvas, you will find a module with resources for both assignments, including the grading rubric and samples of both writing types.

For each day (or portion of a day) that the final draft is late, you will lose five percent from your grade, unless you have either (1) a reason for extending the deadline that would be acceptable in court and that you have discussed with me before the day the assignment is due or (2) a bona fide emergency, in which case you should contact me as soon as possible

to make arrangements for turning in the assignment.

Please remember that computers fail and printers break; these are not acceptable excuses for late assignments unless an extension is requested and granted. I recommend that you keep your work product backed up in the cloud via Dropbox, Google Drive or something similar.

Communication and Office Hours

I will not be holding formal office hours because of the pandemic. However, I encourage you to reach out to me via email with your questions. I am also happy to meet with you via zoom – simply email me at georgemp@wfu.edu. If you need to reach me urgently, please call or text me at (917) 545-6114.

Inclusion and Community

I am committed to making our classroom a safe and accessible space for all members of our community. If you need a reasonable accommodation for this course please make sure to contact the Wake Forest Learning Assistance Center (Reynolda Hall, 336-758-5929) or Student Health Services (Wellbeing Center/Reynolds Gym Ground floor, 336-758-5218). If you need an accommodation because English is not your native language, please contact Dean Huff (huffqb@wfu.edu) in the Law School Dean's Office.

We learn as whole people. To learn effectively you must have basic security: a roof over your head, a safe place to sleep, enough food to eat. If you're having trouble with any of those things, please talk with me or with Dean Huff. Together we can work to make sure those needs are met.

Other Matters

Being a law student is challenging. Please don't hesitate to contact me with concerns about the course or your law school experience.

Being a law professor is also challenging. Please retain your sense of flexibility and humor.

Tentative Schedule

This schedule is subject to change.

Week 1: Introduction to Public Interest Lawyering	
Jan. 19 (M2M)	Readings: <ul style="list-style-type: none">• Course Syllabus & Information• Philip G. Schrag, <i>Why Would Anyone Want to be a Public Interest Lawyer?</i>• MLS chapter 1
Jan. 21 (zoom)	Reading: <ul style="list-style-type: none">• Sophie Bryan, <i>Personally Professional: A Law Student in Search of an Advocacy Model</i>
Asynchronous Assignment	What is Public Interest Law?
Week 2: Lawyer/Client Relationships	

Jan. 26 (M2M)	Readings: <ul style="list-style-type: none"> • Corey S. Shdaimah, <i>Negotiating Justice</i> (ch. 6) • MLS chapters 2-3
Jan. 28 (zoom)	Guest Speaker: Clement Lee
Asynchronous Assignment	Legalizing Street Vending Topic Proposal
Week 3: Representing Causes	
Feb. 2 (M2M)	Readings: <ul style="list-style-type: none"> • Scott Cummings, <i>How Lawyers Manage Intragroup Dissent</i> • MLS chapters 4-5
Feb. 4 (zoom)	Guest Speaker: Josh Franco
Asynchronous Assignment	Defunding the Police Feedback Form
Week 4: Policy Papers	
Feb. 9 (M2M)	Readings: <ul style="list-style-type: none"> • MLS chapter 10 • Jaboa Lake, <i>The Pandemic Has Exacerbated Housing Instability for Renters of Color</i> • ACLU, <i>The Unequal Price of Periods</i>
Feb. 11 (zoom)	Reading: <ul style="list-style-type: none"> • MLS chapter 6
Asynchronous Assignment	Policy Paper Outline
Week 5: Writing Policy Papers	
Feb. 16 (M2M)	No class: Reading Day
Feb. 18 (zoom)	Guest Speaker: Jasmine McGhee
Asynchronous Assignment	Policy Paper Draft (Background and Analysis)
Week 6: Litigation	
Feb. 23 (M2M)	Reading: <ul style="list-style-type: none"> • Cynthia Godsoe, <i>Perfect Plaintiffs</i> Listen: <ul style="list-style-type: none"> • Before Rosa Parks, There Was Claudette Colvin
Feb. 25 (zoom)	Guest Speaker: Taylor Brown

Asynchronous Assignment	Policy Paper Draft (Options and Recommendation)
Week 7: Appellate Advocacy	
Mar. 2 (M2M)	Readings: <ul style="list-style-type: none"> Allison Orr Larsen & Neal Devins, <i>The Amicus Machine</i> <i>June Medical Services</i> – Amicus Brief <i>June Medical Services</i> – Call for Signers
Mar. 4 (zoom)	Guest Speaker: Alexia Korberg
Asynchronous Assignment	Policy Paper Draft (Complete) Feedback Form
Week 8: Legislation	
Mar. 9 (M2M)	Readings: <ul style="list-style-type: none"> Chai Feldblum, <i>The Art of Legislative Lawyering</i> Beth Medows, <i>Beginners Guide to Legislative Drafting</i> EPI, <i>Why the US Needs a \$15 Minimum Wage</i> Heritage Foundation, <i>The Truth About a \$15 Minimum Wage</i>
Mar. 11 (zoom)	Guest Speaker: Shaka Mitchell
Asynchronous Assignment	None – enjoy Respite Week!
Week 9: Paper Conferences	
Mar. 16 (M2M)	No class – paper conferences instead
Mar. 18 (zoom)	No class – paper conferences instead
Assignment	No assignment – revise draft instead
Week 10: Media	
Mar. 23 (M2M)	Readings: <ul style="list-style-type: none"> Catherine Albiston, <i>Democracy, Civil Society, and Public Interest Law</i> Jia Tolentino, <i>Gloria Allred's Crusade</i>
Mar. 25 (zoom)	Readings: <ul style="list-style-type: none"> The Op-Ed Project, <i>Tips & Tricks</i> Bret Stephens, <i>Tips for Aspiring Op-Ed Writers</i> Joel Sati, <i>How DACA Pits “Good Immigrants” Against Millions of Others</i>
Asynchronous Assignment	Final Policy Paper Draft
Week 11: Administrative Advocacy	
Mar. 30 (M2M)	Readings: <ul style="list-style-type: none"> Marie-Amélie George, <i>Bureaucratic Agency</i> Stephanie Francis Ward, <i>New Mexico Tosses Restriction that Prevented Parents in Law School from Receiving Child Care Subsidy</i> Listen: <ul style="list-style-type: none"> This American Life, <i>The Out-Crowd (Act One)</i>

Apr. 1 (zoom)	Guest Speaker: Marti Flaks
Asynchronous Assignment	Op-Ed Outline Feedback Form
Week 12: Access to Justice	
Apr. 6 (M2M)	Readings: <ul style="list-style-type: none"> • Jim Griener et al., <i>Self-Help Reimagined</i> • Joe Dysart, <i>20 Apps to Help Provide Easier Access to Legal Help</i> • Justice Innovation Project, Legal Design Lab
Apr. 8 (zoom)	Guest Speaker: Adair Ford Boroughs
Asynchronous Assignment	Op-Ed Draft (Three Main Points)
Week 13: Grant Writing	
Apr. 13 (M2M)	Readings: <ul style="list-style-type: none"> • Catherine R. Albiston & Laura Beth Nielsen, <i>How Public Interest Law Organizations Fund Their Activities and Why it Matters for Social Change</i> • New Hampshire Center for Nonprofits, <i>Types of Fundraising</i> • John Killoran, <i>The Nonprofit Grant Writing Guide: How to Apply for Funding</i>
Apr. 15 (zoom)	Guest Speaker: Joy Chia
Asynchronous Assignment	Op-Ed Draft (complete)
Week 14: Peer Editing	
Apr. 20 (M2M)	Peer editing
Apr. 22 (zoom)	Guest Speaker: Afam Onyema
Asynchronous Assignment	Final Op-Ed Draft
Week 15: Rethinking Public Interest Advocacy	
Apr. 27 (M2M)	Reading: <ul style="list-style-type: none"> • Samuel Moyn, <i>Law Schools Are Bad for Democracy</i>