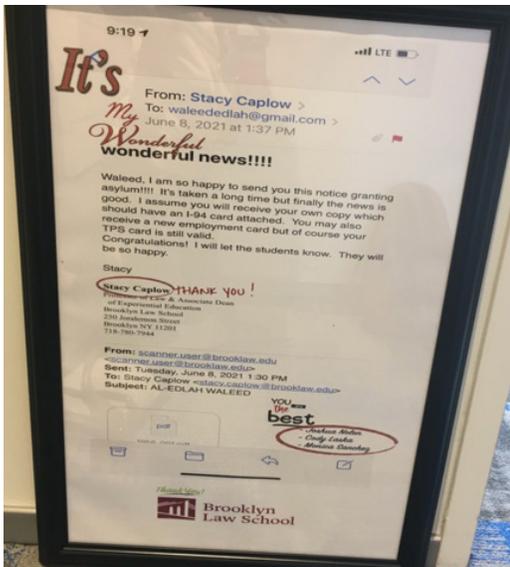




## Safe Harbor Secures Protection and Stability Despite Delays



In fall 2019, Clinic students Cody Laska '21, Josh Nolen '21, and Maria Sanchez '20 prepared an asylum application for their client from Yemen, who had fled that worn-torn country just as he was about to be captured and possibly killed due to his connections to the United States. His previous application for asylum had been denied but he was able to remain in the US in Temporary Protected

Status. The clinic students gathered additional evidence to strengthen his claim and filed a new asylum application, a very unusual tactic. The first interview, scheduled for March 2020, was cancelled due to COVID. In January 2021, he finally was interviewed but sadly the students who worked so hard could not be present. After a long delay, in early June, he was granted asylum. Now, the clinic will work to bring his family to safety in the United States.

Two other cases which had been dragging along in the clinic also resolved this spring. The first was an application for a U-Visa (for crime victims) that was filed in 2015 when Dan Smulian was still at Brooklyn Law School. Clinic students had prepared the paperwork. Due to the annual limits on these visas, USCIS takes years to finally adjudicate them. Happily, two clients received their visas and work permits this spring, one from Mexico and the other from Honduras.

In another case, Dan and former clinic students, Kyla Burke-Lazarus, Charli Cleland and Travis Marmara, successfully presented an asylum claim in Immigration Court for a client from Honduras who had suffered significant violence at the hands of her partner. Although the clinic

### In this Issue

- Safe Harbor
- Criminal Defense & Advocacy
- LGBT Advocacy
- Clinical Legal Education Association Awards
- Habitat for Humanity
- BLIP

Clinical Education Program  
111 Livingston Street  
Brooklyn, NY 11021  
T: 718-780-7994  
E: [clinics@brooklaw.edu](mailto:clinics@brooklaw.edu)



filed an application for lawful permanent residence (green card) in 2018, nothing happened. This semester, Marina Lahowin '23, Komal Sahi '21 and Sarah Beyer '21 drafted a Writ of Mandamus to be filed in the EDNY to compel USCIS to adjudicate her application. They sent the AUSA a draft complaint with a request to see if the case could be settled before filing the lawsuit. Their strategy paid off. Within a few weeks, the client was interviewed at USCIS and her green card arrived a week later.

## Fund Raiser Extraordinaire

Kate Mogulescu, Director of the Criminal Defense and Advocacy Clinic launched the Survivors Justice Project last year. This innovative program, taking advantage of the NYS Domestic Violence Survivors Justice Act, has already succeeded in obtaining release or parole eligibility for several clients. The Project has now been recognized by two funders whose generous support will allow the project to expand over the next two years. The Vital Projects Fund awarded \$200,000 and the Tow Foundation awarded \$150,000.

Elizabeth Isaacs, a 2012 graduate of Cardozo Law School, will be joining the clinic as a Fellow in July. Elizabeth worked at the Appeals Bureau of The Legal Aid Society for about seven years after clerking for former New York State Court of Appeals Chief Justice Jonathan Lippman and also taught Appellate Advocacy at Brooklyn Law School for a semester (upon the strong recommendation of former Law School clinician, Ursula Bentele).



*Professor Kate Mogulescu, Director of the  
Criminal Defense and Advocacy Clinic*

## LGBT Advocacy Clinic: Successes on Many Fronts

“Stephanie” worked as an administrative assistant at a hospital. From her very first day at work, Stephanie’s co-workers made it clear that they did not approve of her lesbian identity or her masculine gender presentation. Stephanie was subjected to constant verbal abuse and mistreatment by her co-workers and became physically ill because of the workplace harassment she experienced. Eventually she had no choice but to leave her job, even though she and her wife had a newborn son at home. The hospital then fought to deny Stephanie unemployment insurance benefits. Clinic students Beth Potter ’20, and Michele Jackson ’20 represented Stephanie at an Unemployment Insurance hearing, and she won. The Clinic then helped her sue the hospital and her co-workers, litigating an employment discrimination case in federal District Court. Beth Potter ’20, Michele Jackson ’20, Ken Lam ’20, Megan Adams ’20, Amal Alzendani ’22, Sheilagh Lichtenfels ’21, Andrew Russell ’22, and Maya Ureno-Dembar ’21 represented Stephanie along with co-counsel Adena Wayne and Anamaria Segura from the New York Legal Assistance Group. After students conducted depositions, Stephanie settled her case and will now receive \$100,000 compensation for the mistreatment she faced.

“Manal” is a non-binary person from Saudi Arabia who identifies as genderqueer and pansexual and uses they/them pronouns. Growing up, Manal was beaten by their father and brothers because they did not conform to the rigid gender expectations for a Saudi person assigned female at birth. Manal was able to get a scholarship to attend university in the U.S. but had to be accompanied by their brother since female-assigned Saudis must have a male guardian’s permission to travel or attend school. In the U.S., Manal began to explore their gender and sexuality, which drew swift and violent punishment from their family. Eventually, Manal’s siblings lured them back to Saudi Arabia with intent of carrying out an honor killing. Manal escaped death only by agreeing to an arranged marriage to an older male friend of their father’s. Fortunately, after they were married Manal’s husband granted permission for Manal to return to the U.S. and complete their degree. After Manal’s graduation, they came to New York and the LGBT Advocacy Clinic students Jen Hanna ’22 and Casey McIntyre ’22 helped Manal apply for asylum. Manal was granted asylum in May 2021 and can now live safely in the United States without fear of deportation to Saudi Arabia.

“Felicia” is a transgender woman who fled Mexico after enduring a lifetime of abuse because of her gender identity. Upon arriving in the U.S., she struggled to cope with mental health issues arising from the trauma she had faced, and also endured intimate partner violence. As a result, she was not able to apply for asylum for several years. Many Brooklyn Law School students from the Safe Harbor and LGBT Clinics represented Felicia in applying for asylum and won her case at the New Jersey Asylum Office even though Felicia had missed the one-year filing deadline. After that success, Felicia applied for her green card in 2020 and was recently granted legal permanent residency in the U.S. LGBT Clinic student Laura Horvath-Roa (22) assisted Felicia in preparing for her green card interview.

# Clinical Legal Education Association Award Winners

Ama Bonsu '21 is the Brooklyn Law School recipient of the Outstanding Externship Student Award conferred by the Clinical Legal Education Association (CLEA) in recognition of the valuable work that students do in law school externships. The criteria for Outstanding Externship Student include “excellence in the fieldwork component of the externship course determined by the quality of the student’s performance in assisting or representing individual or organizational clients,” and “excellence in the seminar component of the externship course determined by the quality of the student’s thoughtfulness and self-reflection in exploring the legal, ethical, strategic, and other pertinent issues raised in the externship.”

Ama completed four semesters of externship work on behalf of three different field placements during law school, all during the Covid-19 pandemic. She externed with in-house counsel at a local professional sports team and at two boutique entertainment law firms. Her supervising attorneys uniformly evaluated her at high levels of performance. Ama’s colleagues, classmates, and supervisors were consistently impressed by her thoughtfulness and self-reflection in exploring the legal, ethical, and strategic issues raised by the challenges facing her clients.



Patrick Gallagher '20 and Jamie Levitt '21 received the Clinical Legal Education Association’s award for their work as teaching assistants in the Pandemic Employment Relief Clinic (PERC) during the summer of 2020. The CLEA award recognizes them “for excellence in clinic fieldwork and for exceptionally thoughtful, self-reflective participation in an accompanying clinic seminar, as nominated by the clinical faculty at the Law School.

With 100 registered students, most of whom had just completed their first year, Jamie and Patrick were each responsible for first-line supervision of 50 students working in teams of two, which required them to master the intricacies

of a whole new body of unemployment insurance law. In addition, they managed PERC’s social media profile, developed an on-line intake process, and most importantly, provided reassurance and support for students struggling with their first experience acting in the lawyer’s role, advising clients in a time of great stress and uncertainty.

Over the course of the summer, PERC served over 700 clients. In their final reflections, students uniformly praised Patrick and Jamie not only for their substantive guidance, but for the patience and understanding as they were thrust into this formative experience. This program would not have been possible without their unstinting commitment and dedication.

## Habitat for Humanity NYC Honors Professor Debra Bechtel

Habitat for Humanity New York City presented Professor Debra Bechtel, founder and director of the Corporate and Real Estate Clinic, with the Sondra Roach Community Partnership Award at the Habby Awards during a Virtual Habitat House Party in November 2020.

The Habby Awards celebrate volunteers and partners who have made a significant impact throughout the past year. The Sondra Roach Community Partnership Award is presented to a community partner who has shown outstanding commitment to the Habitat NYC mission.

At the Law School, in addition to leading the Corporate and Real Estate Clinic and teaching the Real Estate and Community Development Externship, Bechtel is the deputy director of the Center for Urban Business Entrepreneurship (CUBE).



Professor Debra Bechtel  
Founder and director of the Corporate and  
Real Estate Clinic



## And the BLIP Goes On

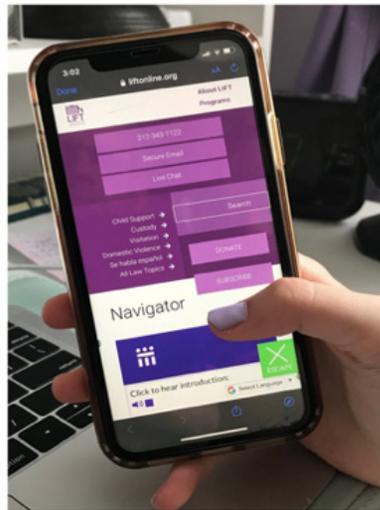
In addition to providing startup legal support for about 100 clients this year, BLIP focused on multiple novel issues to advance the needs of innovative startups and entrepreneurs and to advance access to justice. Among the more novel projects, the BLIP students pursued the following:

- Helped prepare legislation to allow for NY to become the first state to provide a data tax on large Internet companies use of personal data without compensation to such users. The objective is to help the state and users derive some of the revenue from exploitation of user data and to combat excessive capital flight from NY to a few well-heeled tech companies in Silicon Valley.
- Preparing a Petition for Rulemaking advocating that the FCC amend its prohibition on operation of “signal jamming devices” to allow for exception to permit operation of “limited-range” signal jamming devices in single-family residences. The FCC has not revised its “signal jamming” rules since the rules were first enacted 40 years ago. Since that time, mobile signals have become ubiquitous, and have invaded all of our public and personal spaces. In order to advance individual and familial privacy and intimacy and to combat increasing mental health consequences of the “always-on” world, the BLIP students are hoping for carve outs to allow for limited use of signal jamming to escape this always on world.
- Fighting for “Right to Repair” policies to better enable owners of electronic equipment to fiddle with their own devices or preferred mechanics, so that they are not subject to the unilateral determinations and repairs of the large vendors of electronic equipment. With change-overs in Congress, the Executive Branch, at the FTC, and in the States with regard to antitrust, excessive big tech power, and a push for individual autonomy, the BLIP gang believes the time is right to fight for Right to Repair.
- Exploring how it might be possible to move the legal profession in a more socially-virtuous direction. With the growing acknowledgement that corporations should be more socially responsible, the BLIP students

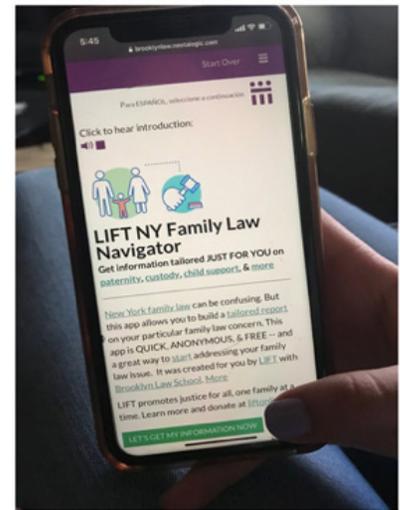
are asking the question as to whether lawyers and law firms might have a societal obligation to be more socially responsible, and, if so, how do we balance such obligation against the professions obligation to provide zealous advocacy for all clients.

- Continued work in build a justice lab, in which students harness rudimentary, no-code toolsets, to build apps for vulnerable constituencies who cannot get adequate representation in various legal battles. Most recently, the BLIP students helped Legal Information for Families Today (LIFT) — an innovative nonprofit dedicated to empowering unrepresented litigants with legal information and compassionate guidance so that they can successfully self-advocate in Family Court – to build a robust, comprehensive quick answer application to assist in giving out advice regarding paternity, child custody, visitation, termination of parental rights, child support and protection orders.

In IFrame:  
<https://www.liftonline.org/navigator>



Not in IFrame (standard deployment):  
<https://brooklynlaw.neotalogic.com/a/LIFT-NY-Family-Law-Navigator>



- Prepared a White Paper with extensive recommendations on how NYC, and other cities might revise its rules and processes for nightlife revitalization in the wake of the COVID pandemic.