



Brooklyn
Law School

CLINICS

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WHERE LAW COMES TO LIFE

Safe Harbor Project Students Submit Comments and Applications

This semester clinic students Casey Doyle '23, Juliana Lopez '23, and Luc Figueiredo Miller '22, under the supervision of Professor Faiza Sayed, drafted comments about proposed Department of Homeland Security changes to the Code of Federal Regulations concerning credible fear screenings at the border. Their 25-page comment addressing Procedures for *Credible Fear Screening and Consideration of Asylum, Withholding of Removal and CAT Protection Claims by Asylum Officers* is comprehensive and persuasively explains how harmful many of the new procedures would be to asylum seekers. Please take some time to skim the proposed regulation [here](#). Their downloadable comment is posted [here](#).

On the last day of classes, Alex Hyken '23, Elizabeth Anapol '23, and Roger Acosta '22 filed their client's U-visa application, the culmination of countless hours of work, including several interviews with their client on a range of sensitive and difficult topics, more than one trip all the way up to the Bronx to collect evidence and obtain signatures, drafting, re-drafting, and even more drafting of two separate client affidavits, combing through nearly 100 pages of medical records, figuring out how to read physician hand-writing and learning numerous medical terms, writing two legal arguments (which involved applying a maddeningly vague standard for the inadmissibility waiver), and, of course, *so many forms*. Their final submission exceeded 100 pages!

In this Issue

Safe Harbor Project
BLIP
Clemency and Pardon Project
Criminal Defense and Advocacy
Corporate and Real Estate
Clinic Faculty News

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Casey Doyle '23, Luc Figueiredo Miller '22, and Juliana Lopez '23



Alex Hyken '23, Elizabeth Anapol '23, and Roger Acosta '22

BLIP: Busy as Always

In addition to providing traditional support for a broad array of socially-virtuous, bootstrapped startups, 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:

- **Data Control:** Working with the Mozilla Foundation and Consumer Reports on multiple projects designed to give individuals better control of their own data through the establishment of Data Fiduciaries, Data Coops, Data Trusts.
- **Blockchain/Crypto:** Working to “self-tokenize” and create NFTs for artists, athletes, and even lawyers on the Blockchain, in an effort to empower individuals to control their own economic and professional identities and futures without having to be beholden to agents, managers, brokers, and other various intermediaries. Also working on multiple policy initiatives to develop a viable regulatory framework that will both enable Blockchain to grow and thrive, while still providing protections to users of Blockchain technology, products and services.
- **Ethical AI:** Working with ForHumanity and other AI policy organizations to help develop standards, principles, and auditing processes to ensure that AI technologies may thrive and improve life in the digital age, while protecting humans from the potential over-reach and unethical applications of AI.
- **Platform Coops, DAOs and New-Fangled, Virtuous Corporate Structures:** The BLIP students are working to create new corporate structures and systems to empower workers and users in industries otherwise dominated by Silicon Valley-based gig economy platforms. In particular, BLIP is counsel to [The Drivers Coop](#), a driver-controlled and empowered coop to take on the Ubers and Lyfts of the world. BLIP is also working to streamline the creation and viability of Distributed Autonomous Organizations (DAOs). The C-Corp was built for the needs of 19th and 20th Century business needs. The LLC was an effort to add flexibility to corporate structure, governance, and procedures. Structures like DAOs will enable much more

flexible and much broader ownership and decision-making than traditional corporate structures allow, if we get the rules right and figure out third-rail issues, like liability and jurisdictional authority. In fact, BLIP set up the Brooklyn Law School Chapter of Legal Hackers as a DAO, with processes and governance occurring on the Blockchain and voting via Ether.

- **Justice Lab:** BLIP continues to build out the “Justice Lab” at the Law School. **Professor Askin** has been hosting a series of legal tech workshops, both on and off campus, to train students in computational law and legal automation, with an eye towards building some A2J apps. Ultimately, our goal is to leverage the skills and passions of students and professionals worldwide to create and sustain solutions that serve millions of people in need – and to prepare students to excel in the modern, digitally-enabled, workplace. To the extent we build the Justice Lab beyond BLS, the Justice Lab Network would likely become a nonprofit organization headquartered at Brooklyn Law School, which would foster the creation and sustaining of technology-based solutions by schools around the world that support access to justice. The Justice Lab primarily uses no-code, AI, machine learning, and other automation software development platforms, to be used by people without programming skills to create apps that replicate the thinking and actions of lawyers. The hard work is focusing on law school-oriented skills and objectives to train law students to parse through statutes, regulations, standards, and other legal documents and then use the tech tools to automate applications around these statutes, regulations, standards, and other legal documents.



Clemency and Pardon Project Files Two Federal Applications

Clinic students Rachel Laubis '22, Elisa Jastremski '23, Kathryn Kubinski '22, Vincent Maddiona '23, Eliana Sands '23, and Regina Yu '23 compiled documents, testimonials, records and other statements in a longshot

effort to persuade the President to grant a pardon to two long term lawful permanent resident clients who face deportation as a result of a single federal criminal conviction.

The Many and Varied Activities of the Criminal Defense and Advocacy Clinic

• Brooklyn Law School Welcomes Professor Elizabeth Isaacs

Thanks to a grant from the Tow Foundation, **Professor Elizabeth Isaacs** came on board in July 2021 to co-teach the clinic with Professor Kate Mogulescu and help facilitate the Survivors Justice Project.

Elizabeth joins the Law School as a Clinical Teaching Fellow after 7 years as a public defender at the Criminal Appeals Bureau of The Legal Aid Society of NYC. She is a graduate of the Benjamin N. Cardozo School of Law and Wesleyan University.



Professor Elizabeth Isaacs

• Ongoing Advocacy for Survivors in Prison

With Professor Isaacs joining the team, the Criminal Defense & Advocacy Clinic (CDAC) has had a busy Fall semester! A total of 16 students participated in the clinic –8 new clinic students and 8 returning students in the advanced clinic. The Clinic continues to focus on decarceration for criminalized survivors of domestic violence, centering the lived experience of survivors in all aspects of the work, as it worked on applications for resentencing under the Domestic Violence Survivors Justice Act (DVSJA), as well as clemency petitions and parole advocacy.

Because collaboration with clients is a central tenet of the Clinic's work, students were in constant communication with their partners behind prison walls. In addition to calls and email, the Clinic was also able to resume in-person legal visits after a long pandemic-related hiatus – a total of 15 prison visits over the course of the semester.



Octavia Ewart '22, Alex Starbuck '23 and Professor Isaacs on the road to Bedford Hills Correctional Facility.

• The Survivors Justice Project

In addition to direct advocacy with survivors, the Clinic also offers students exposure to CDAC's broader advocacy work. **The Survivors Justice Project**, which is housed in the clinic, is a collective of activists, lawyers, social workers, students, and researchers -- many of whom are survivors of domestic violence and long-term incarceration. SJP is grant/donation funded and continues to **raise money to support its work**,

• Decarceration Success under the DVSJA

In November, CDAC successfully advocated for a domestic violence survivor to be released from prison after serving over 7 years. Arrested when she was only 19 years old, she was released on November 18 and has been working to begin building her life after prison, which includes spending much overdue time with her grandmother, mother and young son. Karla Gonzalez '22 and Zachary Rippe '21 spent over a year working on her resentencing case.



Karla Gonzalez '22 outside Orange County Court after winning resentencing for her client under the DVSJA.

To date, CDAC's advocacy under the DVSJA has resulted in 5 survivors getting significant sentence reductions. Added up, resentencing saved these 5 survivors from serving a minimum of 10 additional years in prison. If they had been sentenced under the DVSJA initially, they would have been spared

over 40 years of unjust incarceration.



Connor Appel '23 and Stacey Gonzalez '22 outside of Taconic Correctional Facility.

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Criminal Defense and Advocacy Clinic *continued*

• Film Screening & Panel Discussion at BLS: *And So I Stayed*



Panel discussion after screening of And So I Stayed, moderated by Alessandro Nardi '22.

On November 7, 2021, CDAC/SJP, in partnership with the Center for Criminal Justice, hosted a virtual film screening of the documentary, *And So I Stayed*, which examines the injustices faced by domestic violence survivors who

are prosecuted for offenses related to their abuse. A panel discussion, moderated by Alessandro Nardi '22, followed the film and featured SJP members Monica Szlekovics and Patrice Smith as well as Kim Dadou Brown, an advocate and survivor profiled in the film, and Natalie Patillo, its

co-director. The event, well attended by members of the Law School and broader legal community, highlighted the DVSJA and the Clinic's work, and explored important questions about what more the legal community can do to support criminalized survivors of domestic violence.

• Passage of the START Act Gives New Hope for Human Trafficking Survivors with Criminal Records

CDAC celebrates the passage of the START (Survivors of Trafficking Attaining Relief Together) Act, which Governor Hochul signed into law on November 16, 2021. Together with many organizational partners, CDAC has been instrumental in advancing this legislation, creatively named by Zoe Bernstein '21. Earlier this year, CDAC co-authored an **op-ed** advocating for the law, which expands the scope of criminal record relief for survivors of human trafficking. CDAC looks forward to working with trafficking survivors to utilize the new law so that they can have better access to housing, employment, and other necessary services to allow them to move forward with their lives.

Corporate and Real Estate Clinic Zooms Along

The use of zoom meetings this semester allowed Corporate and Real Estate clinic students to disseminate legal information more broadly and to facilitate low-income cooperative board and shareholder decisions more effectively than in the past. Virtual meetings also enabled several brainstorming sessions among students, government agencies, consultants, management companies and clients, boosting plans for financial and structural stability in several buildings.

Molly Drescher '22 and Sean Kennelly '22, for example, conducted a zoom meeting for eighteen Washington Heights tenants to answer questions about a co-op conversion the clinic has been working to implement. Molly and Sean also met on zoom with the tenant leaders to discuss several complex issues: marketing vacant units, extending a real estate tax exemption, re-financing an existing mortgage and resolving repayments allegedly due to the current building owner.

Another student team participated in one virtual meeting with the City Department of Housing Preservation and Development to resolve co-op conversion issues as well as a follow-up meeting including the NYS Attorney General's Real Estate Finance Bureau. This is the first time in several years that the clinic has been able to engage both agencies in discussions about permanent affordability and ownership for over a hundred tenants in six buildings represented by the clinic in Brownsville, Williamsburg, Boerum Hill and the Lower East Side. The same team, Amanda Yang '22 and Tim Walsh '22 met four tenant leaders, their new manager and a loan packaging consultant on zoom to discuss their respective roles in a rehabilitation and tax exemption effort. Again, the virtual meeting format was a more effective way to advance the project than an e-mail or conference call and simpler to organize than a meeting at the building.

Sanja Mathoda '22 and David Kim '22, drafted an important proprietary lease amendment and arranged a virtual shareholder vote to approve it, achieving a goal the co-op board and the clinic had been pondering for several years.



Left to right: David Kim, Max Maiello, Sanja Mathoda, Shanni Lynch, Sean Kennelly, Amanda Yang, Tim Walsh, Molly Drescher

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Corporate and Real Estate Clinic *continued*

For the same building, they drafted two contracts for unit sales which, if completed, will lead to an infusion of much-needed cash for the co-op.

The fourth student team, Max Maiello '22 and Shanni Lynch '22, helped the President of a Lower East Side co-op tackle a threatened foreclosure, negotiating with lender's counsel over the course of the semester to re-finance the loan. One source of financial difficulties for the co-op was a code violation in the commercial space which Max and Shanni

resolved through research and contact with the tenant and the expediter. In that project, the students relied on phone calls to communicate with the President. For their second client, though, they prepared a memo on advantages and concerns for buildings considering cooperative ownership and presented it via zoom to three board members. They were joined by two loan officers from Habitat for Humanity in another instance of multiple parties participating in a virtual discussion for the benefit of low-income families hoping to secure or retain home ownership opportunities.

Other Clinic Faculty News



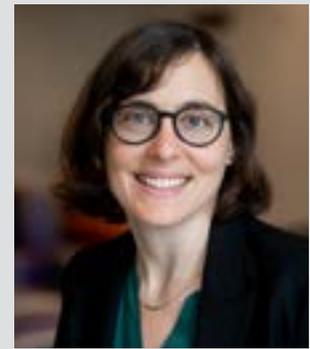
Professor Jonathan Askin

Professor Jonathan Askin received the inaugural "Frank Askin Award for Outstanding Contributions to Clinical Legal Education." **Professor Frank Askin**, who died earlier this year, was a pioneer in clinical legal education, starting the Rutgers Constitutional Litigation Clinic in 1970.

Upon receiving the award, Jonathan said, "This is the honor I will always cherish above any other, past or future. I only wish dad had lived to see, even to give, me this award. The truth is that Dad never quite got what I was doing with "all this Internet and technology stuff," that is, until our issues were joined when the civil rights and civil liberties to which he had devoted his life began to be waged online. I also had started out as a civil rights attorney, but diverted my career when the Internet became, to me, the great issue of the day, and afforded a newly minted attorney the opportunity to help write the rules of the road for this new, transformative technology that had the capacity to obliterate geo-political boundaries and to force us to rethink all the rules that had been written for the analog and physical world. Once we laid the legal and policy foundations for the growth of the Internet, it became clear that the Internet would become a new frontier in the fight for social and economic justice. I like to think my dad got that I was simply extending the model of clinical legal education, that he helped pioneer, into the Digital Age."



Professor Prianka Nair



Sarah Lorr

The Co-Directors of the Disability and Civil Rights Clinic, **Professor Prianka Nair** and **Professor Sarah Lorr**, both added to the clinic faculty family. Prianka's daughter, Suleika, was born in May and Sarah's daughter, Maren, in November.

The clinic team also suddenly and tragically lost its longtime colleague, mentor and friend, **Minna Kotkin** who died at the end of September. The entire law school mourns her death. A festschrift/memorial service is scheduled for March 23, 2022. Stay tuned for announcements of the in-person and Zoom information.



Professor Minna Kotkin