

The Earl Carl Institute for Legal & Social Policy, Inc.



"Creating a New Vision for Legal and Social Justice"

2013 -2018 Strategic Plan



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Earl Carl Institute Strategic Plan 2013 Update *(for the period 2013 -2018)*

Part A. Introduction

1. Background.

The Earl Carl Institute for Legal and Social Policy, Inc. at the Thurgood Marshall School of Law seeks to identify, address, and offer solutions to issues that affect traditionally urban and disenfranchised communities. The Institute was established in 1992 by Professor Marcia Johnson and is a nonprofit corporation exempt from taxation under §501(c) (3) of the Internal Revenue Code.

The Institute was named in honor of Professor Earl Carl, a founding faculty member of the Law School. Professor Carl, blind from an early age, graduated from Fisk University before going on to earn his law degree from Yale University Law School. A symbol of personal triumph over misfortune, Professor Carl is a reminder that we are limited by only the barriers we choose not to overcome.

The Institute was initially designed to serve as a provider of resources for Thurgood Marshall students to enhance their research and writing skills. Over the past 20 years the Institute's programs have grown significantly and now also include training in legal advocacy, leadership, office management, and problem solving. The Institute promotes civil and human rights through the students' research, position papers, and other publications. A high percentage of Institute students pass the bar exam on their first attempt.

Through the production of papers, community education programs and media presentations, the Institute continues to make advances toward becoming a prominent research resource and authority with respect to its Core and Signature Project Initiatives.

From its beginning, the purpose of the Earl Carl Institute has been to meet, through an interdisciplinary approach, the legal and social needs of traditionally under-represented populations. The Institute is committed to the belief that social change can occur through a variety of educational and advocacy activities, client education, publications, and direct representation. The Institute believes problems that are intricately intertwined with the loss or impairment of individual rights can be addressed through activities that help eliminate poverty in the urban community.

2. Structure of the Earl Carl Institute

2.1. Institute Projects and Outcomes. The Institute generally undertakes projects that are interdisciplinary in nature and have a disproportionate impact on minorities as well as one of three outcomes. These outcomes are (1) student development, (2) public policy initiatives, and (3) community education. In addition, each project is consistent with the purposes of one of the Institute's priority research areas: (1) Criminal Justice, (2) Education, (3) Family, and (4) Housing. By working in specific priority areas, the Institute seeks to create a high level of expertise in areas that significantly impact the urban community. In addition, all Institute projects support Law School strategic goals.

2.2. Institute Centers

The Institute maintains three centers: the Center for Government Law, the Center for Civil Advocacy, and the Center for Criminal Justice.

The Center for Civil Advocacy

Formerly known as the Institute for Trial Advocacy, The Center for Civil Advocacy (CCA) was established in November 2001 and provides Thurgood Marshall law students an opportunity to gain practical experience by working with clients, witnesses, lawyers and courts. Sources for cases include the Houston Volunteer Lawyers Program, Lone Star Legal Aid, Texas Appleseed, Disability Rights Texas, other legal services organizations, community based organizations and churches. The clients represented through CCA are commonly low-income individuals and families.

The CCA currently sponsors two advocacy projects: the Opal Mitchell Lee Property Preservation and Foreclosure Defense Project (OMLPPP) and the Juvenile Justice Project.

(1) The *Opal Mitchell Lee Property Preservation Program (OMLPP/OML)* was established in September of 2007, through a grant from Texas Access to Justice Foundation (TAJF). TAJF has continued to fund the project annually. The OMLPPP addresses the legal challenges lower income residents face in maintaining their real property and enhancing their wealth. The project's focus is to help economically disadvantaged communities retain and grow wealth through assistance with maintaining or obtaining real property. Studies have shown that 95% of the wealth of African Americans is in the value of their homes. The Project is supervised by a contract attorney. On average, the Institute hires two students per semester to serve as student attorneys for the project. Services include actions involving probate, adverse possession, clearing title to property, partitions, mortgage, homeowner association and tax foreclosure defense, property tax exemptions, formation of nonprofit corporations to assist with community development, and consumer debt issues.

(2) The *Earl Carl Institute Juvenile Justice Project (JJP)* provides direct legal representation to students in Class C Misdemeanor cases pending in adult Justice of the

Peace and Municipal Courts in Texas. The JJP also has an educational and impact litigation component. The project seeks to highlight and reduce the burgeoning and disparate use of student tickets among minority communities and other issues related to the school-to-prison pipeline. African American students, and to a lesser extent Hispanic students, are significantly overrepresented in discretionary suspensions, disciplinary alternative school referrals, and in-school ticketing for nonviolent offenses. Recent reports of the issuance by school districts of discretionary tickets established that African American students statewide receive approximately twice the number of discretionary citations as their populations in the school districts while they receive less than their population percentages in mandatory citations. In fact, researchers, in a recent statewide study, found that African-American students had a 31 percent higher likelihood of a school discretionary action as compared to otherwise identical white and Hispanic students. The project has operated since 2009 with financial support from the Law School and grants from the Litigation Section from the State Bar of Texas (\$6,000), Texas Bar Foundation (\$45,000) and the Houston Endowment (\$86,000).

The Center for Criminal Justice

The Center for Criminal Justice (CCJ) engages in research, analysis, collaboration, and actual innocence litigation to foster a fairer and more accountable justice system. The Center uses an interdisciplinary approach to address problems in the criminal justice system that disproportionately impacts the urban community. The goals of the Center are (1) to research criminal justice reform issues and recommend more effective policies, and (2) to provide students with an opportunity to hone their advocacy skills.

The Thurgood Marshall School of Law Innocence Project (TMSLIP) is operated under the auspices of the CCJ. The Innocence Project at Thurgood Marshall School of Law (TMSLIP) was created in June of 2007. In March of 2009, the Innocence Project began operating under the Earl Carl Institute for Legal and Social Policy, Inc. TMSLIP came to Institute with only 24 open services requests while other state funded law school innocence projects averaged over 1000 requests. By July 2012, the TMSLIP had 653 open requests and is on target to have 900 open service requests by the end of the 2012-2013 academic year. Further, the TMSLIP is poised to begin litigation in three cases by the end of that academic year.

The Project promotes student development by employing a full time supervising attorney as well as numerous law student investigators who review claims of actual innocence. Statistics show that, like most problems with our criminal justice system, the problem of wrongful conviction impacts the African American community more than any other community. The disparate impact of wrongful conviction on the African American community is shown in Texas' DNA exonerations. Of the first 45 persons whose convictions were found to be wrongful as the result of post-conviction DNA tests, more than 80% are African American.

The Center for Government Law

The Center for Government Law was established to provide integrated academic and practical skills training in government administration and regulation to law students. Preparing students for the practice of law in the public sector is a primary goal of the Center. The Center works with numerous governmental organizations on the local, state, and federal level. The Center also serves as a bridge between government and academia by providing practical experience to students who assist government leaders in advancing research in a multitude of law and public policy arenas.

In addition, the Center is responsible for a report each biennial Texas Legislative session on the impact of new legislation on TSU and the urban community. It is the goal of the center to become an authority and resource on urban issues for legislators and for policy organizations.

3. Strategic Planning for the Earl Carl Institute

3.1. Strategic Planning. The Institute's Board has from time to time developed and adopted strategic plans to define the direction of Institute activities, to guide resource decisions, and to ensure that the available resources are invested in the goals the Board has determined are the most pressing for the population the Institute serves. The Board is strongly committed to the Institute's purpose of providing educational and practical service to its constituency.

The Institute's initial Strategic Plan was adopted by the Board of Directors during its April 2009 Board meeting. That initial Strategic Plan was a working document that contemplated that the Board would review and evaluate the plan at least annually to reflect the ideals and growth of the Institute. The 2013 Update is the second update of the initial Strategic Plan and is intended to be effective for the five-year period beginning May 1, 2013, and ending April 30, 2018.

3.2. Current and Recent Projects. The Board's aim in revising and updating the Strategic Plan is to ensure that the Institute is progressing in accordance with its purpose and that it continues to retain relevance in the work that it does. The Board has reviewed the recent programs, activities, and accomplishments of the Institute, including the following highlights from 2011 and 2012:

1. Receipt of funding (grants and appropriations) in the amount of \$459,340.
2. Employing 49 students as researchers, writers, and law clerks
3. Producing three very successful CLE programs
4. Launching the *Earl Carl Institute Interdisciplinary Journal for Legal & Social Policy*
5. Launching the *Street Law Project*
6. Producing two publications and one draft training module
7. Participating in over 30 outreach activities for the Juvenile Justice Project and the Innocence Project
8. Saving or obtaining for clients of the Institute's *Property Preservation Clinic* assets valued at \$787,288.00, primarily in real property.

3.3. The 2012 Project Evaluation.. In June 2012, the Institute evaluated each of its proposed Core and Signature Projects to determine the scope and the need for each project and to perform a cost-benefit analysis of each project.

The following items were included in the evaluation of each project:

1. Identification of the issues to be addressed and statistics and studies supporting the need for the project;
2. Consideration of how the project will address the issue or impact the program;
3. Identification of who will be the project target;
4. Description of the end product of the project and its uses;
5. Description of the tangible value of the project to TMSL or TSU, or both;
6. Identification of the project term;
7. Names of Staff members who will oversee the project;
8. The project's marketing plan;
9. The cost of the project;
10. Potential funding sources for the project; and
11. The plan for process evaluation and outcome evaluation.

3.4. The 2012 Strategic Planning Committee. With this background, a review team consisting of Institute Board Officers, the Law School dean, and Institute staff and students began to craft a vision of how the Institute would shape its future. The review team's vision was shared at the November 1, 2012, meeting of the Institute Board. The Board created and appointed members to a Strategic Planning Committee to revise and update the existing strategic plan to encompass the new vision. Law School Professor Ana Otero chaired the Strategic Planning Committee, and members included Docia Rudley, Executive Director of Assessment; Professor Fernando Navarro-Colon; Professor Okezie Chukwumerije; Mary Kelly, Adjunct Professor; and Institute staff members Lucinda Daniels, Associate Director for Publications and Student Development; Professor Anthony S. Haughton, Associate Director for the Center for Criminal Justice; Andreience Hines, Sr., Administrative Assistant; and Sarah R. Guidry, Interim Executive Director.

3.5. Proposed revisions. The Strategic Planning Committee met on March 4, 2013, March 20, 2013, April 3, 2013, and April 9, 2013. The Committee began its work by revising the Institute Mission Statement consistent with the current work and future vision for the Institute and proposed revised components of the plan over a number of months. The proposed revisions were thus the result of a thorough process of evaluation of the Institute's performance through 2012; reconsideration of the Institute's operational methods, assessment of program strengths and weaknesses, and consideration of implementation of the Plan for the upcoming years.

3.6. The 2013 Update components. The 2013 Update (Part B of this Report) restates and revises the Mission, Vision, and Core Beliefs of the Institute (Section I); outlines multi-year goals and objectives (Section II); and provides for implementation of a program for assessment of Institute programs (Section III). The 2013 Update is intended to serve as a flexible guide for current and future students, Board members, alumni, and Institute staff.

3.7. Board approval. The Strategic Planning Committee presented a draft of the 2013 Update to the Institute Board Executive Committee on April 4, 2013. The Executive Committee recommended presentation of the 2013 Update to the full Board for consideration of adoption at its April 18, 2013 meeting.

Part B. The Earl Carl Institute's Strategic Plan 2013 Update

SECTION I. Statements of the Mission, Vision, and Core Beliefs of the Earl Carl Institute

1.1. *The Mission of the Earl Carl Institute*

The mission of the Institute is to identify, address, and offer solutions to legal and social problems that affect traditionally urban and disenfranchised communities. The Institute, through interdisciplinary scholarship and advocacy, aims to develop the leadership, research, and advocacy skills of law students to encourage public service and to enable the students to effectively address problems of underserved communities.

1.2. *The Vision of the Earl Carl Institute*

The vision of the Institute is to serve as one of the nation's preeminent centers for research and advocacy on legal and social issues affecting underserved communities. We will serve as a leading voice in promoting social justice and be recognized for excellence in our programs and the quality of our community engagement.

1.3. *The Core Beliefs of the Earl Carl Institute*

The core beliefs of the Institute are --

- to promote excellence in education using an interdisciplinary approach to create excellent future leaders who will advance social justice;
- to provide an effective service delivery component to address the needs of individual citizens and advance community representation;
- to contribute to public discourse by producing high quality significant research that enhances public policy discussions;
- to provide accessibility to the Institute and its programs in order to foster an environment that promotes equality for traditionally underserved populations; and
- to have a significant role in facilitating awareness that contributes to the advancement of civil rights and social justice.

As the Institute evolves, it continues to work towards identifying potential implementable solutions to legal and social issues disproportionately impacting the minority community. The Institute will continue to pursue, through both academic and grassroots efforts, opportunities to promote policy changes for the betterment of the urban community and to fulfill the missions of the Institute, TMSL, and TSU.

SECTION II. GOALS and OBJECTIVES

The Earl Carl Institute adopts the goals and objectives for the period 2013 through 2018 stated in this Section II of Part B.

2.1. Institute Goal 1 To better prepare students for full participation in the legal profession by substantially enhancing the student learning experience and by promoting socially responsible public service.

Objectives of Goal 1

Objective 1. Increase opportunities for advocacy through student research and writing about “real world” social and legal issues that advance the mission of the institute.

Objective 2. Provide opportunities for student development to increase substantive knowledge, professional skills, ethics, and values for effective advocacy to the community served by Institute.

Objective 3. Increase opportunities for students to participate in pro bono service by participating in clinical advocacy programs that provide access to justice and typically serve low-income clients.

Institute Goal 1 supports the **TMSL Strategic Goal 1:** *to substantially enhance the student learning experience and better prepare students for success in the profession.* Institute Goal 1 also supports **TSU Strategic Goal 3:** *to provide socially responsible public service.*

2.2. Institute Goal 2

To expand the institute’s advocacy programs to provide professional quality services to benefit traditionally underserved communities.

Objectives of Goal 2

Objective 1. Increase resource development and funding from all available sources, including grants, public, and private donations.

Objective 2. Improve, enhance, and develop programs that provide legal services to populations served by Institute.

Objective 3. Increase the visibility of Institute through public relations and outreach.

Objective 4. Increase clinical case handling capacity.

Institute Goal 2 supports the **TMSL Strategic Goal 1**: *to substantially enhance the student learning experience and better prepare students for success in the profession.* Institute Goal 2 also supports **TSU Strategic Goal 3**: *to provide socially responsible public service.*

2.3. Institute Goal 3

To provide education to the university and to the community at large about legal and social issues having a disproportionate impact on minority communities.

Objectives of Goal 3

Objective 1. Increase the number of pertinent research projects resulting in educational materials, policy and position papers, and symposia and continuing education programs.

Objective 2. Increase collaborations on projects with other colleges and organizations at TSU and with other institutions of higher learning.

Institute Goal 3 supports **TMSL Strategic Goal 2** which, in pertinent part, is: *to promote scholarly productivity through its support of its institutes and centers which serve not only to influence law and public policy, but also to enhance the Law School's reputation.* In addition, Institute Goal 3 supports **TMSL Goal 4**: *expanding career opportunities for our graduates by providing CLE opportunities for alumni growth.* Institute Goal 3 also supports **TSU Strategic Goal 2**: *to provide basic and applied research by increasing the number and quality of scholarly and creative works generated by the faculty and by students*

2.4. Institute Goal 4

To promote interdisciplinary collaborations to address urban legal and social policy issues affecting urban communities.

Objectives of Goal 4

Objective 1. Increase collaborations on projects with other colleges and organizations at TSU and other institutions of higher learning, as well as with community organizations, government officials, and agencies.

Institute Goal 4 supports **TMSL Strategic Goal 2** which, in pertinent part, is: *to promote scholarly productivity through its “support of its institutes and centers which serve not only to influence law and public policy, but also to enhance the Law School's reputation.”* Institute Goal 4 also supports **TSU Strategic Goal 2**: *to provide basic and applied research by promoting interdisciplinary research groups* and **TSU Goal 3**: *to provide socially responsible public service.*

2.5. Institute Goal 5

To ensure the institute plays an active role in the legislative decision making process.

Objectives of Goal 5

Objective 1. Increase opportunities to work on policy initiatives with members of the legislature, public officials, and community leaders by publishing relevant research-based educational materials and by advocating face-to-face in personal meetings.

Objective 2. Increase participation in legislative matters.

Objective 3. Increase collaborations on projects that affect the legislative process with other organizations, with public official, and with agencies.

Objective 4. Expand outreach efforts to constituents and other stakeholders.

Institute Goal 5 supports **TMSL Strategic Goal 2** which, in pertinent part, is: *to promote scholarly productivity through its support of its institutes and centers which serve not only to influence law and public policy, but also to enhance the Law School's reputation.* Institute Goal 5 also supports **TSU Strategic Goal 2:** *to provide basic and applied research by increasing the number and quality of scholarly and creative works generated by the faculty and by students.*

SECTION III. ASSESSMENT PROGRAM

3.1. The Assessment Program. The Institute will develop and implement an assessment program with relevant metrics. The purpose of the assessment program will be to help guide the Institute in assessing the Institute's effectiveness in achieving its mission and goals, in monitoring and improving programs, and in conducting student development activities. The initial assessment metrics will be submitted in writing to the Board and the Law School administration by not later than 60 days following the date of adoption of this 2013 Update.

3.2. Annual Report to Board. The assessment metrics will include and describe each program, activity, and effort engaged in by the Institute and will also identify the outcomes or impacts related to each program, activity, and effort. Outcome measures for each academic year ending August 31 (or, in the case of academic year 2012-2013, the four-month period ending August 31, 2013) during the five-year period will be provided in a written report submitted to the Board by the following November 30th. The Board will review and consider whether it may be appropriate to recommend or take any action regarding Institute's programs and activities. The Board will also review the assessment metrics used in the report to ensure continued relevancy of each assessment item.