



Thurgood TODAY



YOUR MONTHLY THURGOOD MARSHALL SCHOOL OF LAW ELECTRONIC NEWS & INFORMATION
SOURCE FROM THE OFFICE OF EXTERNAL AFFAIRS – (713) 313-1197

October 2015

TMSL Hosts Death Penalty Awareness Symposium

Examining the impact, woes and pitfalls of conviction and exoneration from death row on the accused, victim family members, and our communities



Internationally recognized activist against the death penalty and New York Times and international best seller author of Dead Man Walking, **Sister Helen Prejean** along with other wowed the masses as Luncheon Speaker during, “Death Penalty Practicum: Revisiting the Death Penalty 40 Years After Jurek” on campus.

On Tuesday, October 13, 2015, Texas Southern University Thurgood Marshall School of Law (TMSL), along with The Earl Carl Institute’s Center for Criminal Justice, TMSL’s Death Penalty Awareness Society, TMSL’s Civil Rights Law Society and the Texas Defender Services joined forces to host the CLE/conference, “Death Penalty Practicum: Revisiting the Death Penalty 40 Years after *Jurek*” from 9:00 a.m. to 5:00 p.m. inside TMSL’s Moot Court Room. Through thought-provoking presentations and panel discussions led and moderated by attorneys and professors of law and state legislators, and activist groups, conference participants explored the significance of Jurek v. Texas, the case which determined 40 years ago that the death penalty, if applied fairly and without discrimination, was not considered cruel and unusual punishment and thus, not an infringement on an individual’s constitutional rights, as set forth in the Eighth and Fourteenth Amendments.



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Highlighting the conference was **Sister Helen Prejean**, nationally and internationally recognized activist against the death penalty, founder of “Ministry against the Death Penalty” and best-seller author of Dead Man Walking, who served as the Luncheon Speaker. TMSL and TSU faculty, staff, students, alumni, members of the practicing bar, community partners and friends ushered into the TMSL Moot Court Room for an up-close-and-personal presentation by Sister Helen, her views on the death penalty and the moral and societal questions surrounding capital punishment in America. Following her presentation, TMSL’s Death Penalty Awareness Society presented the *Lifetime Commitment to Justice Award* to Sister Helen. The weekend preceding the conference, the TMSL Death Penalty Awareness Society hosted at TMSL a viewing party of the movie, *Dead Man Walking*. TMSL Dean Dannye Holley hosted a Conference Reception for conference participants, committee members and friends on the eve of the Conference.

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TMSL Hosts Death Penalty Awareness Symposium Cont'd.

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The Death Penalty Practicum was chaired by **TMSL Professor Ana Otero** and facilitated through the TMSL Center for Continuing Legal Education by **TMSL Assistant Dean Prudence Smith**. **Earl Carl Institute Associate Director for Criminal Justice and TMSL Legal Clinic Interim Co-Director Anthony Haughton** opened the conference with a dynamic welcome and later served as conference moderator. Introductory remarks were provided by TMSL students, **Heidy Orellana, president and Amy Greenbaum, vice president of TMSL's Death Penalty Awareness Society**. Other moderators for the Conference included: **TMSL Associate Professor Lydia Johnson, TMSL Associate Professor SpearIt, and Associate Director Zahra Whitfield (Earl Carl Institute, Center for Government Law)**. Legislative updates were supplied by **The Honorable Harold Dutton, Attorney Amanda Marzullo (Policy Director, Texas Defender Services), and Kristin Houle (Executive Director, Texas Coalition to Abolish the Death Penalty)**.

Conference panelists included **David Atwood (Houston Peace & Justice Center); William Pelke (President, Journey of Hope)** and members from the **Journey of Hope**, an organization led by murder victim family members, focused on addressing alternative solutions to the death penalty; **The Honorable Craig Washington; Attorney Kathryn Kase (Executive Director, Texas Defender Services); Professor David Dow (University of Houston Law Center); Professor Jim Marcus (University of Texas School of Law); Professor Kenneth Williams (South Texas College of Law); and Attorney Nicole Casarez (University of St. Thomas)**. Exonerees **Shujaa Graham and Edward Mpagi** also served as panelists and shared their respective moving stories of life after death row.





FACULTY HIGHLIGHTS



Professor Fernando Colon presented an Ignite Presentation at the 4th Annual Educating Tomorrow’s Lawyers (ETL) Conference in Denver, Colorado that focused on the theme: Building on the Foundations for Practice. Professor Colon’s presentation, “Technology and Assessment in the Legal Classroom: An Empirical Study,” addressed the addition of pre- and post-tests using a personal response system in his Real Property class and how such targeted assessment and review improved those students’ overall performance in the course. ETL is an initiative of the Institute for the Advancement of the American Legal System (“IAALS”) dedicated to aligning legal education with the needs of an evolving profession. Working with a Consortium of law schools (that includes TMSL) and a network of leaders from both law schools and the legal profession, ETL develops solutions to support effective models of legal education.

Professor Sally Green’s article, *Realistic Opportunity for Release Equals Rehabilitation: How the States Must Provide Meaningful Opportunity for Release*, 16 Berkeley J. Crim. L. 1 (2011), was recently cited and discussed in an amicus brief entitled, Post-Conviction Justice Project’s Application to File Brief of Amicus Curiae in Support of Petitioner Jose Armando Alatraste; Brief of Amicus Curiae; In re Jose Armando ALATRISTE on Habeas Corpus. Professor Green’s article is cited for her position that a meaningful opportunity for release requires the opportunity to mature and rehabilitate, especially where rehabilitation is required for release to occur. The amicus brief and discussion of Professor Green’s article is available on Westlaw at 2015 WL 5812864, at *9.



Associate Dean Cassandra Hill and **Director Docia Rudley** co-presented at the 4th Annual Educating Tomorrow’s Lawyers (ETL) Conference in Denver, Colorado that focused on the theme: Building on the Foundations for Practice. Their presentation, “Leveraging Faculty Collaborations and Partnerships with Practitioners to Develop Meaningful Assessment,” was part of ETL’s Ignite Presentations Series. Associate Dean Hill and Director Rudley shared with conference attendees all of the many innovative assessment projects conducted at TMSL to evaluate students’ writing, critical thinking and client interviewing skills.

laborations and Partnerships with Practitioners to Develop Meaningful Assessment,” was part of ETL’s Ignite Presentations Series. Associate Dean Hill and Director Rudley shared with conference attendees all of the many innovative assessment projects conducted at TMSL to evaluate students’ writing, critical thinking and client interviewing skills.



Professor Stephanie Ledesma has been invited to speak at the Child Welfare Law Conference and Youth Court Seminar held in Jackson, MS on October 16, 2015. The goal of the conference is to improve outcomes for children and families through advocacy, innovation, and collaboration. Professor Ledesma, a certified child welfare specialist, will present on “Cultural Competence & Inherent Bias: Their Impact on Quality Parental Representation.”

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FACULTY HIGHLIGHTS *Cont'd.*



Professor Craig Jackson spoke before the Harris County Democratic Lawyers' Association at its monthly luncheon on the issue of civil rights and the United States Supreme Court. Professor Jackson reviewed and critiqued the Court's decisions in *Shelby County v. Holder*, *Fisher v. the University of Texas (I)*, and *Texas Department of Housing and Community Affairs v. Inclusive Communities Inc.* Additionally, on Friday October 2, Professor Jackson delivered a paper titled *The Meaning of Constitutionality* at the Annual LatCrit conference held in Anaheim, California. Using insights from Supreme Court justice and legal philosopher Oliver Wendell Holmes, Professor Jackson's paper challenges the notion of the correctness of received law in constitutional cases, makes the case that judges do politicize decision-making, and proposes that politicization of decision making is inevitable. In his paper, Professor Jackson also offers suggestions on judging the quality of political decisions

Professor Michael James was invited to participate in a panel discussion on October 21, 2015, for the Houston Equal Rights Ordinance ("HERO") at the University of Houston-Downtown. Professor James was joined by two panelists, José Eduardo Sánchez, the Southern Regional Director at Young Invincibles, and John Nechman, a partner at Katine & Nechman, LLP. Professor James's presentation addressed several issues, such as the importance of the ordinance, those protected by the ordinance, and the conduct prohibited by the ordinance. Through his comments, Professor James challenged the anti-HERO arguments raised about public restrooms and emphasized other jurisdictions' ability to defeat the unsubstantiated claim that wrongdoers, like sexual predators, would exploit a non-discrimination law like HERO.



Professor Tom Kleven presented a paper entitled *Equitable Sharing as a Basis for Mobilizing a Mass Movement for Social Justice in the United States* at the LatCrit Conference on "Critical Constitutionalism" in Anaheim, California on October, 2, 2015. Professor Kleven's paper argues that achieving social justice in the United States requires a mass movement that cuts across ethnic, gender, religious and class lines. He further writes that divisions along those lines and especially racism among the white working class are the greatest obstacles to such a movement; however, an ideology of equitable sharing, as set forth in Professor Kleven's book by that name, might help overcome these divisions and enable the needed movement.

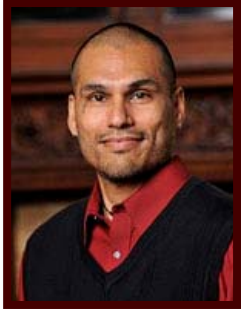


Professor Shaundra Lewis's most recent article, *The Cost of Raising a Killer—Parental Liability for the Parents of Adult Mass Murderers*, was highlighted in a recent national blog post, <http://prawfsblawg.blogs.com/>. The article, which will be published as the lead article in Volume 61 of the Villanova Law Review, espouses that in some circumstances parents can, and should, be held liable for their misfeasance or nonfeasance that leads to their adult son's or daughter's mass killing of others.

Professor Peter Marchetti presented his work-in-progress on regulating for-profit law schools during an October TMSL Quodlibet session. In his presentation, Professor Marchetti addressed the negative impact for-profit law schools have on students, faculty, and the legal profession and he called for increased regulation of for-profit law schools that would counter the investors' demand for maximum profits and inattention to the needs of the profession and set aside funds to remedy any wrongdoings by these schools.



FACULTY HIGHLIGHTS *Cont'd.*



Professor SpearIt spoke on KPFT Radio on September 26, discussing the collateral consequences of a felony conviction. He also participated in a live online steaming discussion on October 8 hosted by Muslim Arc, discussing race issues within the Latino Muslim community. Additionally, Professor SpearIt spoke on prison reform at the LatCrit Conference on October 2 in Anaheim, CA. Professor SpearIt also has accepted an invitation from the American Bar Association to publish a chapter for the book, *The State of Criminal Justice* (forthcoming 2016). His work, *Economic Interest Convergence in Downsizing Imprisonment*, 75 U. PITT. L. REV. 2 (2014), was recently cited in Beydoun, *A Demographic Threat? Proposed Reclassification of Arab Americans on the 2020 Census*, 114 Michigan Law Review First Impressions 1 (2015). Here, author Khaled A. Beydoun cited Professor SpearIt's succinct summary of interest convergence theory. Further, Professor SpearIt's co-authored article, *Twenty Years After the Education Apocalypse: The Ongoing Fall Out from the 1994 Omnibus Crime Bill* (published in the St Louis University Public Law Review in 2014) was cited in the 2015 report, *Who Pays? The True Cost of Incarceration on Families*, in a discussion on education programs in prison, available at <http://whopaysreport.org/>. Lastly, Professor SpearIt published the article *Ben Carson: Islamophobe Extraordinaire* in the Islamic Monthly, available at <http://theislamicmonthly.com/ben-carson-islamophobe-extraordinaire/>.

On Saturday, September 19, 2015, **Professor Asmara M. Tekle** presented her forthcoming paper, *Have a Scoop of Grandpa: Composting as a Means of Final Distribution of Human Remains*, as part of the Walking Dead Symposium at Savannah Law School in Savannah, Georgia. The symposium discussed how death and fear of death affect the law of the living.



Additionally, Professor Tekle will present her forthcoming paper, *Rectifying These Mean Streets: Percent-for-Art Ordinances, Street Furniture, and the New Streetscape*, at the joint program of the AALS Sections on Art Law, Property law, and State and Local Government Law at the 2016 AALS annual meeting. The AALS program is entitled *Infraculture and Public-Private Partnerships: Legal Tools for Economic Recovery and Community Development* and will take place on January 7, 2016, 1:30-3:15 p.m. The panel will “explore creative legal approaches that have emerged to revitalize metropolitan areas with cultural assets. Topics to be addressed by the panelists include percent-for-art ordinances, the concept of the urban commons, the public costs of P3, and VARA’s influence on whether and how artists collaborate with state and local governments.” Other speakers on the program include Professors Sheila R. Foster at Fordham University School of Law, Tyler T. Ochoa of Santa Clara University School of Law, and Nadav Shoked of Northwestern University School of Law. This is Professor Tekle’s second time presenting at the AALS annual meeting.



On October 2, 2015 **Professor Lydia Johnson** moderated the Fall 2015 Energy Symposium panel on The Effect of Commodity Prices on New Projects

On October 13th, Professor Johnson moderated the Death Penalty Practicum: Revisiting the Death Penalty 40 Years after *Jurek* panel on Ineffective Assistance of Counsel.



FACULTY HIGHLIGHTS *Cont'd.*



Professor L. Darnell Weeden's article entitled *Johnnie Cochran Challenged America's New Age Officially Unintentional Black Code; A Constitutionally Permissible Racial Profiling Policy*, 33 T. Marshall L. Rev. 135, 138-39 (2007), was recently quoted by John Tehranian, Irwin R.

Buchalter Professor of Law at Southwestern Law School, in the University of Colorado Law Review in Tehranian's article entitled *Playing Cowboys And Iranians: Selective Colorblindness And The Legal Construction Of White Geographies*, 86 U. Colo. L. Rev. 1, 310 (2015). While contending the Supreme Court's holding in *Whren* makes it virtually impossible for a plaintiff to establish a racial profiling violation under the Equal Protection Clause, Professor Tehranian quoted Professor Weeden's article in footnote 310 to support his analysis. In particular, Professor Tehranian quoted the following from Professor Weeden's article: "Showing that you have been a constitutional victim of racial profiling is virtually a mission impossible, unless you can demonstrate discriminatory intent. . . . In the real world of contemporary African-American experience, statistics support the conclusion that a substantial disparity in racially motivated stops, searches, arrests, as well as the excessive use of force by law enforcement officers exist. These statistics, however, fail to establish actual intent to discriminate on the basis of race under relevant constitutional analysis."



Professor Jay Aiyer, Assistant Professor at TSU's School of Public Affairs, presented his work on undocumented children's access to public education as part of TMSL's inaugural **Interdisciplinary Bridges**

Faculty Series. This presentation was co-sponsored by the Institute for International and Immigration Law and Professor Fernando Colon introduced the guest speaker. The Interdisciplinary Bridges program is a new

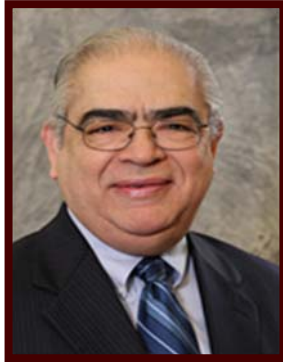
series where TSU faculty from other colleges or schools who research on topics related to law are invited to present their scholarship and projects. This new series will hopefully present interesting opportunities for research or grant collaborations and allow attendees to view and discuss current legal issues through the lens of a different discipline.



Associate Dean Cassandra Hill, Professor Fernando Colon, Professor Stephanie Ledesma, Director Docia Rudley, and TMSL alumna Alena Benford (Class of 2000) attended the 4th Annual Educating Tomorrow's Lawyers (ETL) Conference in Denver, Colorado that focused on the theme: Building on the Foundations for Practice. ETL is an initiative of the Institute for the Advancement of the American Legal System ("IAALS") dedicated to aligning legal education with the needs of an evolving profession. Working with a Consortium of law schools and a network of leaders from both law schools and the legal profession, ETL develops solutions to support effective models of legal education. Given Thurgood Marshall School of Law's innovative work in law student learning outcomes and assessment, ETL invited TMSL to join its Consortium of law schools in 2014. More information about ETL may be found at the following link: iaals.du.edu/educating-tomorrows-lawyers.



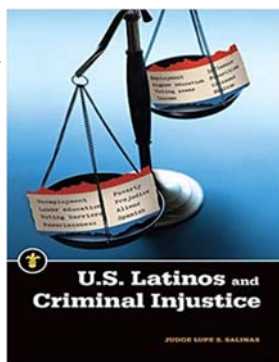
FACULTY HIGHLIGHTS *Cont'd.*



Honorable Lupe S. Salinas intrigued guests with an exploratory discussion on criminal injustice experienced by the Latino community at book discussion/signing event for his newly released book, **U.S. Latinos and Criminal Injustice**, hosted by Barnes & Nobles Book Sellers at Westheimer Crossing.

On Wednesday, October 14, 2015 at 7:00 p.m., approximately 25 supporters, inclusive of Thurgood Marshall School of Law faculty & staff, colleagues, family members and friends gathered at Barnes & Nobles Book Sellers at Westheimer Crossing for the much-anticipated book discussion/book signing by one of our own TMSL professors—**Honorable Lupe S. Salinas**, for his debut book, **U.S. Latinos and Criminal Injustice**, a book that addresses the rapid growth of the Latino population in the United States and how race-based discrimination, hate crimes and other prejudicial attitudes, some of which have been codified via public policy, have grown in response.

The retired criminal district court judge opened the event with a warm acknowledgment of all supporters who rendered assistance during his book’s development, followed by a streamlined overview of each chapter within the book. Judge Salinas reminded the group of eager listeners that all Latinos, inclusive of U.S. citizens, authorized resident aliens and undocumented aliens all have unique justice concerns and further, how his book explores the degrading practice of racial profiling, the abuse in immigration enforcement, the use of deadly force against immigrants and the barriers Latinos face as they meander through the court system. The evening culminated with a Q&A



session and book signing of books purchased by guests.

Per Judge Salinas, “I was motivated to write the book, **U.S. Latinos and Criminal Injustice** primarily by the experiences I’ve seen during my 43 years of being a lawyer and from seeing the injustices that have happened over the years to Latinos. Through this book, I hope to persuade people to understand that U.S. Latinos are not only a part of our system, but part of our population—and, that Latinos are deserving of fair representation. Latino defendants are more often than not at a disadvantage due to not understanding the legal process as a result of language barriers. Our system requires that we are able to confront those witnesses who will claim that we did something wrong.”



Legal Writing Director and Professor Ericka Kelsaw’s article, *Help Wanted: 23.5 Million Unemployed Americans Need Not Apply*, 34 Berkeley J. Emp. & Lab. L. 1 (2013) was recently cited in Professor Robert Sprague’s article *Welcome to the Machine: Privacy and Workplace Implications of Predictive Analytics*, 21 Rich. J.L. & Tech. 13 (2015). This same article was also cited in a student comment by Hannah L. Hembree, *An Employer’s Relationship With Its Recruiting Firm—Something More Than an Arm’s Length Transaction*, 46 St. Mary’s L.J. 245 (2015). Finally, this same article was also cited by Professor Willy E. Rice in his article, *Courts Gone “Irrationally Biased” in Favor of the Federal Arbitration Act?—Enforcing Arbitration Provisions in Standardized Applications and Marginalizing Consumer-Protection, Antidiscrimination, and States’ Contract Laws: a 1925-2014 Legal and Empirical Analysis*, 6 Wm. & Mary Bus. L. Rev. 405 (2015).



TMSL's Legal Writing and Clinical Legal Studies Programs Under New Leadership

Legal Writing Program



Professor Ericka Kelsaw has been named the Director of Legal Writing for the 2015-2016 academic year. The director position will now be a rotating one-year position, effective September 1 of every year, based on seniority of the professors in the Lawyering Process program. This new model of a rotating director recognizes the seasoned status of our faculty who teach LP and offers each one who consistently teaches the course an opportunity to assume an administrative role. Each professor assuming the director's position will start with a basic scope of annual work as identified in the Director's Scope of Work Statement, but will also have the opportunity to bring their own personal perspectives and priorities to the position.

For the 2015-2016 academic year, Professor Kelsaw is focused on increasing students' level of independent critical thinking and legal analysis. To accomplish this, she has instituted a pilot program focused on the pre-writing process. Through this process, students are moving slowly and deliberately through the pre-writing stage, consciously engaging in the metacognitive processes necessary to enhance their analytical skills. At the conclusion of her term, Professor Kelsaw plans to offer a new curriculum that she has developed based on this new model.

Clinical Legal Studies Program

TMSL's Clinical Legal Studies Program, Live Client Clinics (collectively "Clinic") is proud to announce the appointments of **Thelma L. Harmon** and **Anthony S. Haughton** as its new Interim Co-Directors. They assumed their role effective October 1, 2015. The Interim Co-Directors look forward to working with Clinical Professors Martina Cartwright, Maurice Hew and Lydia Johnson over the next year. The Interim Co-Directors will seek to meet the Clinic's obligations under the ABA requirements, whilst remaining true to the dual mission of all law school clinics. The Clinic aims to do this by providing outstanding student learning experiences and the very best in client representation.



Professor Thelma Harmon has worked in the Clinical Legal Studies Program for numerous years, first as an adjunct in 1993, then instructor, and today as an assistant professor. "I am honored and excited to serve as co-director; working to move the Clinic forward and ensuring that the TMSL's commitment to social justice and graduating 'practice-ready' lawyers are fulfilled."



Anthony S. Haughton, Associate Director, Earl Carl Institute (ECI) Center for Criminal Justice, has been with TMSL since 2009, starting as an adjunct professor. He joined the ECI in 2011, where he is also responsible for running TMSL's Innocence Project. During his 25 years as an attorney, Mr. Haughton has worked consistently in the representation of the indigent accused. His experience includes: working as a consulting attorney at the Texas Resource Center (handling post-conviction capital appeals); Six years at the Public Defender Service (PDS) of Washington, D.C., where Mr. Haughton served in many roles, handling both appeals and serious criminal trials, ultimately serving as the Chief of the Trial Division; and in private practice, where he recently won new trials for two clients from Texas' death row. "I am grateful for this opportunity and look forward to working with Professor Harmon in further developing TMSL's Clinical programs."



STAFF HIGHLIGHTS

TMSL WELCOMES 4 NEW STAFF MEMBERS



The Earl Carl Institute for Legal & Social Policy, Inc. (ECI) is pleased to announce the addition of a full time **Attorney, Saharie L. Reed**, to staff the expanded Opal Mitchell Lee Property Preservation Project Foreclosure Defense and Bankruptcy Clinic. Ms. Reed attended The Ohio State University, where she received a Bachelor's of Science Degree in Business Administration with a minor in Marketing. After graduating, she earned her real-world business experience as a project manager and marketing manager. In 2005, Saharie was accepted to Thurgood Marshall School of Law. During her legal studies, she participated in numerous student activities including the Texas Legislative Internship Program and the TMSL Board of Advocates. She was also president of her graduating class. In addition, she was an Honor Graduate of Thurgood Marshall School of Law. Attorney Reed comes to the ECI with 7 years of legal experience and varying perspectives on real estate matters. She has been managing a private practice of law, Reed Legal Group. As managing member, she has handled various legal matters that all involve real estate issues in some form or fashion, including serving as counsel in the loan modification department of Bank of America. She has assisted numerous Texans in retaining title and possession of their homesteads. She is admitted into the U.S. Court of the Eastern, Northern and Southern Districts of Texas where she has practiced bankruptcy law. She is also licensed to practice law in the state and Maryland.



Ms. Wynell Wall is excited to join the Thurgood Marshall School of Law as our Web Developer in the IT department. Her prior experience includes 15 years as a graphic/web designer for South Texas College of Law. Wynell received her bachelor's in fine arts from Sam Houston State University. Ms. Wall blends the creative perspective of art with her technical skills as a graphic/web designer. "I have a critical eye for technical detail and an artist's heart," she says. Since she began designing websites in 1997, she has produced over 125 websites. Influenced by her travels to Europe, Scandinavia and Mexico, Ms. Wall handcrafts custom, one-of-a-kind jewelry as a hobby for herself and her friends. She is also a volunteer with a non-profit Chamber Music Group founded by Eric Halen, Associate Concertmaster of the Houston Symphony called Musica Tra Amici and designs their marketing material and website: <http://musicatraamici.org>.



STAFF HIGHLIGHTS

TMSL WELCOMES 4 NEW STAFF MEMBERS *cont'd.*



Sandra Brown – Acquisitions Librarian for TMSL Library

Sandra Brown joins TMSL Family as the Acquisitions Librarian.

Sandra Brown is a native Houstonian and a graduate of Texas Southern University. Sandra has a Bachelor of Science in Communications Disorders from TSU and a Master of Library Science from the University of North Texas. She has worked in Academic and Special Libraries for over 15 years and her professional experience includes the following: American General (Research Librarian), AIG Sun America (Learning Resource Center Manger), and University of Houston Libraries (Reference Librarian). As Acquisitions Librarian, Sandra is responsible for selecting vendors, negotiating pricing, and securing payments.



Raqui Daniels is the new Coordinator of Admissions in the TMSL Office of Admission. She previously served as student finance planner at the Everest Institute for close to 6 years. Mrs. Daniels worked with the admissions team, thus bringing experience in both financial aid and admissions to TMSL. Mrs. Daniels is a graduate of Baylor University where she received a B.S. in Family Consumer Sciences. Please stop by and meet Mrs. Daniels. She is presently housed in TMSL suite #214 and she has the most pleasant disposition and bubbly personality which is sure to bring a smile to anyone she encounters.





ECI HIGHLIGHTS

Higher Income Eligibility + Addition to Staff + Bankruptcy Defense Equals More Alternatives to Foreclosure

New Clinic Offerings: Foreclosure Defense and Bankruptcy Legal Services



The Earl Carl Institute for Legal & Social Policy, Inc. (ECI) is pleased to announce the addition of a full time attorney, Saharie L. Reed, to staff the expanded Opal Mitchell Lee Property Preservation Project Foreclosure Defense and Bankruptcy Clinic. The Earl Carl Institute received a grant to expand its FREE Foreclosure Defense services and to add Bankruptcy legal assistance for low- and moderate-income homeowners through the Opal Mitchell Lee Property Preservation Project (OMLPPP). These programs are funded with a grant from the Texas Access to Justice Foundation. The grant funds were from a \$16.65 billion settlement of a Department of Justice lawsuit against Bank of America.

Over the last 7 years the OMLPPP has realized a steady increase in requests for foreclosure defense assistance. A significant portion of those cases involve property tax foreclosures and increasingly reverse mortgage foreclosures which have almost double the rate of default as traditional mortgages. ECI and OMLPPP recognize that one of the biggest barriers families face to avoid losing their homes is the lack of access to quality legal services. In October 9, 2015; there are approximately 2,251 properties in Houston, Texas that are in some stage of foreclosure - default, auction or bank owned. According to the National Foreclosure Mitigation Counseling (NFMC) Program, "[n]ow seven years into the foreclosure crisis, households nationwide are still struggling to make their mortgage payments. Although the national inventory of loans in foreclosure has declined to its lowest levels since 2008, there continues to be many distressed localities where high delinquency and foreclosure rates exist. These distressed localities represent homeowners and properties at risk of foreclosure in the future." An analysis by the NFMC Program released in 2014 sought to identify which metropolitan and rural areas have been hardest hit by the foreclosure crisis and remain areas of "greatest need"

for foreclosure counseling resources. In that report, Houston-The Woodlands-Sugar Land, TX was identified as one such area. Foreclosure filings in Houston, Texas were up 70 percent between years-end 2013 and 2014, according to RealtyTrac's December 2014 foreclosure market report. Houston had the second-highest number of foreclosing filings among the 20 largest cities nationally.



In the past, the OMLPPP has only been able to serve people facing potential loss of their home whose income level was within 125% of the federal poverty guidelines which translates to \$14,713 gross household income for an individual. This was very limiting and ECI had to turn away many people with still very little income. In 2014, the OMLPPP turned away approximately 30% of foreclosure related request for services due to income eligibility criteria. This expansion of the OMLPPP allows the Institute to offer foreclosure defense services in cases of mortgage, tax, or property owner association foreclosure cases that accommodate clients' with gross household incomes up to 200% of the poverty guideline. Historical data shows that 58% of OMLPPP over-income guideline clients will now be able to receive legal representation courtesy of the new TAJF grant.



ECI HIGHLIGHTS

Higher Income Eligibility + Addition to Staff + Bankruptcy Defense Equals More Alternatives to Foreclosure *Cont'd.*



The ECI is especially excited about this expansion of the OMLPPP to allow the ECI to add a bankruptcy component to compliment the services currently provided to its clients. Bankruptcy offers clients a chance to eliminate or greatly reduce their unsecured debts; stabilizing their financial situations and expanding the homeowner's ability to negotiate alternatives to foreclosure. Often, filing bankruptcy may be the best alternative for some individuals faced with foreclosure. The automatic stay provision in bankruptcy often provides enough time for an individual to work out a loan modification, secure funds to pay arrearages, sale the property or negotiate another solution with a lender. Adding bankruptcy related services for clients would create a complete inventory of services available from the OMLPPP to help avoid foreclosure.

The Opal Mitchell Lee Property Preservation Project's service area is Harris County and its contiguous counties (Brazoria, Galveston, Chambers, Liberty, Montgomery, Fort Bend, and Waller). The program's services will continue to include a wide array of services to help individuals obtain or maintain their real property.





**THURGOOD MARSHALL SCHOOL OF LAW
CLINICAL LEGAL STUDIES PROGRAM**



**CRIMINAL LAW CLINIC
COMMUNITY SERVICE
2ND CHANCE PROGRAM
FALLBROOK COMMUNITY CHURCH
OCT 3, 2015**



CLINIC STUDENTS WITH ALVIN NUNNERY



**ANDREW MCGEE, DAMIRIS
BETANCOURT, JUDGE MARIA JACKSON,
ALVIN NUNNERY**



STUDENTS HELPING CLIENT



PEOPLE IN NEED OF A SECOND CHANCE



TMSL LAW LIBRARY HIGHLIGHTS



On Tuesday, September 22, 2015, Smith County Commissioner Jo-Ann Hampton proudly [handed over the nearly 60-year-old court documents](#) from a civil rights case involving U.S. Supreme Court Justice Thurgood Marshall to representatives of the Texas Southern University Thurgood Marshall School of Law.

“It’s a magnificent donation of documents to the University from this 1956 civil rights case,” said DeCarlous Y. Spearman, law library director and associate professor of law at Texas Southern University Thurgood Marshall School of Law. Per Spearman, “The Law School has received another case in which Justice Marshall was involved as an attorney, so the Smith County documents will add value and be highly instrumental to our collection. I am amazed Smith County thought of our law school. We are exceedingly grateful for the donation.” Spearman was present in Commissioners Court in Smith County, Texas to collect the court file and plans to put some of the documents in a showcase at the law school for students to peruse at their leisure. Tyler Branch NAACP President Cedrick Granberry, several members of the NAACP and Texas Southern University Alumnus LeRoy Francis were also in court for the presentation.

After [discovering the documents from a 1956 case in Tyler’s 7th District Court](#), for which Supreme Court Justice Thurgood Marshall was an attorney, the decision was made to digitize the historic records and [donate the originals to the law school that bears his name](#). The civil case, *The State of Texas vs. NAACP*, has been well preserved in six files in the Smith County Records Department and includes papers, correspondences, and pleadings signed and prepared by Justice Thurgood Marshall when he was acting legal counsel for the NAACP.

“Most of us know about his service on the U.S. Supreme Court, but we don’t know about his life prior to the Supreme Court,” Commissioner Hampton said. “To actually have a case here in Smith County where we can see his name on documents makes him more human to us, and it will be great for the law students to see those documents with the name of the man their school is named after.”



After reading a book referencing the case, former Smith County Assistant District Attorney Stan Springerley, along with assistance from Records Director Joseph Settanni, began his search to see if the original case files were still stowed away in the Cotton Belt Building. Per Springerley, “It was very exciting when I came across the first original signature of Thurgood Marshall, along with the other civil rights attorneys of the era.”

Commissioner Hampton, along with the Smith County District Clerk’s Office and Assistant District Attorney Thomas Wilson, took over the project of having the records digitized by local company Keen Solutions Group and donated the original copies to the Texas Southern University Thurgood Marshall School of Law. All files have been digitized, with a copy being kept by the Smith County Records Services Department.

The State Bar of Texas has also shown interest in the Smith County court documents and the background regarding the historical case.



TMSL SBA

OCTOBER 2015



Chief Justice Nathan L. Hecht

Nathan L. Hecht, the 27th Chief Justice of The Supreme Court of Texas, was invited by the TMSL Student Bar Association to speak to TMSL students on Friday, October 2. Chief Justice Hecht met students before his presentation, and even swore the newly elected 1L Class Board into their respective positions. He explained the process of how the Supreme Court reaches their decisions and answered student questions afterwards.



SBA 1L Elections

Thurgood Marshall School of Law would like to congratulate the following students on their recent election to the 1L Class Board: President - Alex Guajardo; Vice President- Eric Flores; Treasurer - Antonio Lewis; Secretary- John Cross; Historian - Magaly Grimaldo; and Sergeant-At-Arms - Chris Villareal. They are pictured above alongside Chief Justice of the Supreme Court of Texas, Mr. Nathan L. Hecht.

SBA

Student News

The Asian American Bar Association ("AABA") invited the Thurgood Marshall School of Law ("TMSL") Asian Pacific American Law Student Association ("APALSA") to volunteer at their annual Gala & Silent Auction on September 18, 2015. It was held at the JW Marriott, downtown Houston. TMSL APALSA members welcomed prominent judges and attorneys to the event and had the opportunity to network with them. They also met with other APALSA members from the University of

Houston School of Law and South Texas College of Law.





FROM TMSL SBA *Cont'd.*



The Thurgood Marshall School of Law Board of Advocates would like to present the 2015 Prestage Woods Negotiation Competition Champions, **Priscilla Tran** and **Shakila Miller**.

TMSL Board of Advocates

The next Board of Advocates competition, Heman Marion Sweatt Client Counseling, will take place October 26th, 27th, and the 29th

TMSL Honor Court



Thurgood Marshall School of Law would like to present the Honor Court Board 2015-2016.

Back Row (left to right): Andrea Curtis, Justice-at-Large; Anthony Brown, Associate Justice; Cyril Westcott-Omwiren, Associate Judge; Brittany Ramirez, Chief Justice; Belashia Wallace, Associate Justice; Laymond Wilburn, Justice-at-Large.

Front Row (left to right): Brian Daughtery, Prosecutor; Dana Nazarova, Prosecutor; Stacy Johnson, Prosecutor; Chris Mendez, Chief Prosecutor; Jana Thompson, Court Coordinator; Dionne Moore, Court Clerk; Aisha Nash, Baliff



ALUMNI HIGHLIGHTS

Heavy Rain Couldn't Stop the 2015 TMSL Homecoming/Reunion



The 2015 TMSL/TSU Homecoming and Reunion have concluded, but we want to thank you on behalf of the Office of the Dean and the Office of External Affairs. TMSL alums from across the country traveled back to Houston for the Homecoming & Reunion Weekend, held October 22-25.

It is with humble gratitude to hear from others how much you enjoyed the weeks activities. The Reunion class committee's worked hard to present you with the week's line-up: Welcome Reception, Celebratory Reception, Human Trafficking Homecoming CLE, Class luncheon, Tailgating BBQ, and Homecoming Game suite. Unfortunately, we had to cancel the Afterglow celebration at the home of Dr. James and Tanya Douglas, but we thank them for always opening their home to TMSL. Lastly, I hope many of you were able to attend the worship service on Sunday at St. James Episcopal Church. I was not able to attend; however, bedside Baptist served as my secondary ending to the eventful week.

The generous support of our alumni and friends has made a distinct difference at Thurgood Marshall School of Law. Catch a glimpse of some of the fun and excitement in the following pages. Thank you for making our Homecoming/ Reunion 2015 Weekend a success. We hope to see you again soon!

Best always,

Prudence N. Smith

Assistant Dean of External Affairs



ALUMNI HIGHLIGHTS

TMSL D.C. AREA BRUNCH @ CBC

September 19, 2015– Renaissance Hotel Washington, D.C.
Master & Mistress of Ceremonies Attorney and Mrs. Kebharu Smith





ALUMNI HIGHLIGHTS WELCOME BACK RECEPTION

Welcome Back Reception @ HMAAC—Thursday, October 22, 2015





ALUMNI HIGHLIGHTS CELEBRATORY RECEPTION

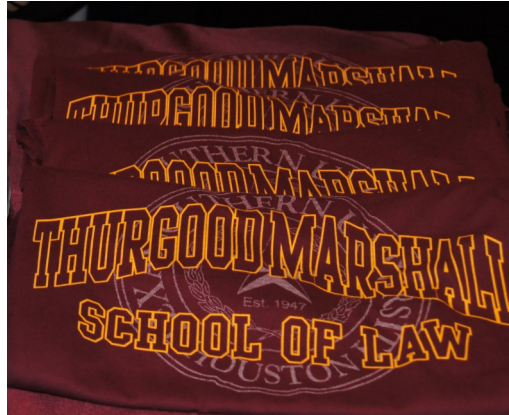
UnWine on Alameda—Friday, October 23, 2015





ALUMNI HIGHLIGHTS TAILGATING /HOMECOMING GAME And OTHER RANDON PICTURES

TSU Large Pavilion & BBVA Stadium





ALUMNI HIGHLIGHTS CLASS OF 1995 REUNION





ALUMNI HIGHLIGHTS ALUMNI IN THE NEWS



The Honorable Marc Carter To Receive 2015 Ima Hogg Award for Championing Veterans Mental Health Treatment Court

Mental Health America of Greater Houston has named The **Honorable Marc Carter**, TMSL Class of 1993 presiding judge over both the 228th District Court Harris County and the Harris County Veterans Treatment Court as the recipient of the 2015 Ima Hogg Award. The award, given in recognition of the legacy of the organization’s founder, Miss Ima Hogg, is presented to individuals whose leadership and community service mirror Miss Ima’s personal mission, “to enrich, enlarge and enlighten the understanding of people everywhere.”

“Judge Carter is a true champion for veterans’ mental health,” said Susan Fordice, president and CEO of Mental Health America of Greater Houston. “His work, strong voice and community involvement has helped to increase awareness and understanding of behavioral health conditions among veterans, encouraged changes in the criminal justice system, and helped to redefine the way communities address mental health in Harris County. It is a rare and special individual who makes this kind of commitment.”

Prior to his appointment to the 228th District Court by Governor Rick Perry in 2003, Judge Carter served as a trial lawyer with the Harris County Districts Attorney’s Office and later as a criminal defense attorney in private practice. He also served as co-presiding judge of the Change Through Intervention, Mental Health Court that provides intensive structure and supervision to the most high risk mentally ill probationers.

Judge Carter received his undergraduate degree from The University of Texas at Austin and his law degree from The Thurgood Marshall School of Law at Texas Southern University. He was commissioned in the United States Army Military Intelligence Corps in 1981, resigning his commission in 1988 at the rank of Captain.





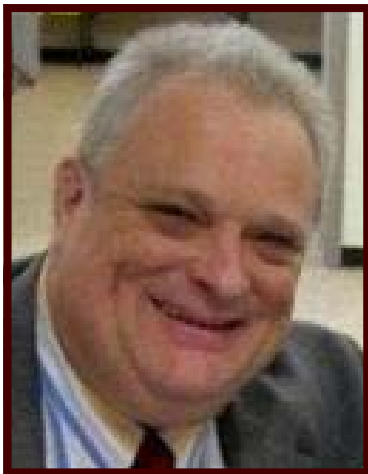
ALUMNI HIGHLIGHTS

ALUMNI ON THE MOVE



Vanessa Ramirez (Class of 2015) was recently hired as the newest Assistant City Attorney for the City of Odessa, Texas and will be working primarily as the legal advisor to the city's Community Development Department. My role consists of helping City Council write new city ordinances, implementation of existing and new ordinances, and prosecuting violations of ordinances.

In Memoriam—Ken Fesler II



Ken Fesler II (Class of 2001) passed away on October 12, 2015 in Houston, TX. Attorney Fesler was often thought of as a mentor, a gentleman, a great attorney and a friend. He is survived by his mother and father and three sisters. A memorial mass will be held at St. Catherine of Siena Catholic Church in Austin, TX on Wednesday, November 4, 2015 at 2:00 pm. In lieu of flowers the family asks that you donate to the Ken W. Fesler II Law School Scholarship Fund in c/o Carole Psak, 4601 Alta Loma Drive, Austin, TX.





UPCOMING EVENTS



THURGOOD MARSHALL SCHOOL OF LAW

A HERITAGE OF EXCELLENCE

Please join us for a

CORPUS CHRISTI ALUMNI & FRIENDS RECEPTION

November 5, 2015

at the home of Attorney

Evelyn Huerta Gonzalez

423 Grant Place · Corpus Christi, TX 78411

at 6:00 pm

Please R.S.V.P to prsmith@tmslaw.tsu.edu

We need your support. Please make your tax-deductible contribution to Thurgood Marshall School of Law
Click on the donation button at: www.tsulaw.edu

DALLAS AREA Alumni and Friends Reception

November 19, 2015

Home of the

Honorable Domingo Garcia
and Dr. Elba Garcia

640 Kessler Springs Dr. · Dallas, TX 75208

5:30 pm – 7:30 pm

Please R.S.V.P. to prsmith@tmslaw.tsu.edu



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Please make your tax-deductible contribution
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WWW.TSULAW.EDU



Ten Reasons to Support Thurgood Marshall School of Law



“From an early age, it was always my dream to attend Thurgood Marshall School of Law (TMSL). I chose TMSL because of how welcoming it felt here; you immediately feel part of the law school family. I was captivated by how my mentors helped guide me through my first year and continued to push me through my first year and continued to push me through my last two years. Their unwavering support of me and other classmates confirmed that I made the right decision in choosing TMSL” — Cervana Shanklin, Alum '15

1. Our Reputation

We are one of 15 law schools nationwide that has notably improved its reputation with lawyers and judges since 2012.

2. Our Advocacy Programs

In the last three years, our Mock Trial and Moot Court Teams have gained national recognition for the quality of their preparation and performance. Both teams have advanced to final rounds in national and regional competitions.

3. Our Valued Externships

Many of our third year students have successfully completed externships with the state supreme court, district judges, state legislators, First Lady of the United States Michelle Obama, and district and county attorney's offices.

4. Our National Recognition

Thurgood Marshall School of Law was admitted into the esteemed membership of the Association of American Law Schools (AALS) in January 2014. The Law School received a national vote of

confidence from the AALS in its direction, faculty, academic and accountability programs and most importantly, in its ability to engage with students to produce competitive and capable lawyers.

5. Our Collaborations

We provide opportunities for our students to experience an array of legal practices and focus on developing excellent lawyering skills through our collaboration with the Legal Clinics and the Earl Carl Institute for Legal and Social Policy, Inc. on campus.

6. Our Regional Impact

With only 5% of total Texas law school enrollment, Thurgood Marshall School of Law, in the last five years, has produced 43% of all the newly licensed African-American attorneys in the state of Texas who are graduates from one of the nine Texas law schools.

7. Our Alumni

We proudly include among our alumni leading members of the U.S. House of Representatives; federal and state trial and appellate judges; key partners in law firms; government attorneys; and sports and entertainment attorneys. Our persistence in producing a substantial number of attorneys in South Texas is highly commendable.

8. Our Student Accomplishments

Our students continue to win and receive recognition for their participation and performance in legal writing competitions and other scholarly activities.

9. Our Diversity

For more than a decade, our Law School has been firmly established as one of the nation's most diverse law schools.

10. Our Mission, Our Vision, Our Values

For the last seven decades, Thurgood Marshall School of Law has been heralded as an institution of opportunity and inclusion that continues to rise on its standards of equality and excellence.



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL OF LAW
OFFICE OF INSTITUTIONAL ADVANCEMENT

Susan Bynam, Assistant Dean

3100 Cleburne Street Houston, Texas 77004 Phone: 713.313.4273 Fax: 713.313.7268

EVENTS CALENDAR

NOVEMBER 2015

November 4th

Faculty Research Series: Sarah Guidry, Executive Director, Earl Carl Institute for Legal & Social Policy, Inc. – School to Prison Pipeline and the Foster Care System

Location: Dean's Conference Room
Time: 12:00 noon – 1:00 pm
Lunch provided

November 5th

1L Skills Academy - OAS

Location: Thurgood Marshall School of Law
Time: 3:00 pm – 5:00 pm

November 5th

Corpus Fundraiser Reception

Location: Home of Attorney Evelyn Huerta Gonzalez
423 Grant Place
Corpus Christi, TX 78411
Time: 6:00 pm

November 7th

Law School Recruitment Fair Chicago, IL

Location: Palmer House Hilton
17 East Monroe Street
Chicago, IL 60603
Time: 9:00 am – 4:00 pm

November 9th

New Attorney Induction Ceremony

Location: Austin, TX
Time: TBD

November 12th

Law School Recruitment Fair Bay Area, CA

Location: Marriott Marquis San Francisco
780 Mission Street
San Francisco, CA 94103
Time: 12:00 noon – 7:00 pm

November 13th

Reception Honoring: Newly Admitted Texas Lawyers & Newly Elected Judges
Sponsored by: Thurgood Marshall School of Law, TMSL Alumni Association, Texas Trial Lawyers Association & Houston Lawyer's Association

Location: Mr. Peeples
1911 Bagby St.
Houston, TX 77002
Time: 5:30 p.m.—7:30 p.m.

November 14th

Practice Comp Exam - OAS

Location: Thurgood Marshall School of Law
Time: 10:00 am – 12:00 pm

November 18th

Faculty Roundtable Series (Teaching) – Why Practice Readiness is Not the Answer: Practice Competence Should Be the Goal – Professor Stephanie Ledesma

Location: Dean's Conference Room
Time: 12:00 noon – 1:00 pm
Lunch provided

November 19th

1L Skills Academy - OAS

Location: Thurgood Marshall School of Law
Time: 3:00 pm – 5:00 pm

November 19th

Dr. Susannah Heschel — Constitutional Law Project's Commemoration of 50th Anniversary of the Voting Rights Act

Location: Thurgood Marshall School of Law Room 210
Time: 11:00 a.m. - 12:00 noon

November 19th

Dallas Area Alumni Fundraiser Reception

Location: Home of The Honorable Domingo Garcia and Dr. Edna Garcia
640 Kessler Springs Dr.
Dallas, Texas 75208
Time: 5:30 p.m.-7:30 p.m.

November 24th

Last Day of Classes

November 24th

Last Day to Drop a Class

November 25th – 26th

Reading Period (NO CLASSES)

November 26th – 27th

Thanksgiving Holiday

November 30th – December 11

FINAL EXAMINATIONS

DECEMBER 2015

Happy Holidays!!!

December 1st – 11th

Final Examinations



October Birthdays



Fernando Colon-Navarro	8th
Trudy Green	10th
Marguerite Butler	19th
Pearly Pendenque	19th



Recycle reminder

Go Green! Let's remember to recycle our used bottles! The recycle bins are located in two areas of the law school and emptied every morning!

Let's do our part!



THURGOOD MARSHALL SCHOOL of LAW

AN EXAMPLE OF DIVERSITY IN HIGHER EDUCATION

“Protect It, Improve It, Pass It on”