

The Pre-Law e-Newsletter from Pre-Professional Programs & Advising
Best viewed in HTML

Vol. 3, No. 4

Friday, October 23, 2009 – Thursday, November 5, 2009

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1. MESSAGE FROM ANA L. DROSCOSKI, ESQ.

For those of you that just received your September 2009 LSAT score: if you have questions regarding whether you should retake the LSAT, or how your score impacts your chance of admission to select law schools, please schedule an appointment with me, so we can discuss your best, individualized option(s).

For those of you considering taking or set to take the January or February LSAT, note that JHU is no longer an administration site for these testing dates. The next LSAT administration at JHU will be in June 2010.

As always, please consult directly with LSAC for any and all LSAT administration site options and additional controlling details.

2. "INTERNATIONAL LAW" DEMAND & THE LAW SCHOOL RESPONSE

A large majority of you have expressed an interest in learning more about and pursuing international law. This interest is a growing trend not only among your peers at JHU, but your future law school peers, at other colleges and universities around the country.

Law schools are responding to this interest in a number of ways, including through: increased course offerings, program focus, study abroad/exchange options, and joint degree opportunities that allow a student to obtain a Juris Doctor from their U.S. law school while concurrently obtaining the J.D. equivalent in another country.

Margaret K. Lewis, an Associate Professor at Seton Hall University School of Law and a Board Member of the American Friends of Bucerius Law School (in Hamburg, Germany), wrote an informative, broad overview article on this topic for The National Law Journal entitled, "International Law Takes Center Stage in Legal Education." In it, she discusses the different ways law schools are meeting this current market need and projects future trends, concluding that "the development is an acknowledgement of the globalization of the practice of law."

To learn more and view the article in full, visit the following link:

<http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202433567511&slreturn=1&hblogin=1>

3. GLIDE YEAR OPPORTUNITY: JET PROGRAMME, THE JAPAN EXCHANGE AND TEACHING PROGRAMME

Each year the JET Programme, with the aid of the Japanese Ministry of Foreign Affairs, recruits thousands of new participants to come to Japan and experience a new and unique way of life. Participants are assigned to be either Assistant Language Teachers (ALTs) who provide language instruction in elementary, junior and senior high schools; Coordinators for International Relations (CIRs) who work in communities on international exchange activities; or Sports Exchange Advisors (SEAs) who promote international exchange through sports.

Participants are placed with local government organizations throughout Japan in every imaginable locality, including large cities, small and medium-sized towns, and rural farming and fishing villages.

A one year term on the JET Programme may broaden your horizons and cause you to take a different step in life! For more information about applying for the JET Programme, visit the following link <http://www.jetprogramme.org/e/aspiring/howto.html> or download the JET Programme pamphlet, and then contact the Embassy of Japan in your country of nationality to apply.

Application Related FAQ's: <http://www.jetprogramme.org/e/aspiring/faq.html>

DEADLINE: November 24, 2009, 5:30pm in Washington, DC

4. INTERVIEW: DANIELA DWYER, STAFF ATTORNEY, MIGRANT FARMWORKER JUSTICE PROJECT, FLORIDA LEGAL SERVICES

Daniela Dwyer is currently a Staff Attorney for Florida Legal Services through the Migrant Farmworker Justice Project, where she helps provide legal advocacy to the 300,000 farmworkers in Florida through law reform, legislative and administrative advocacy, and class actions. Previously, from 2005 to August 2009, Ms. Dwyer was Supervising Attorney and Farmworker Division Director for the Legal Aid Bureau, Inc. in Baltimore, Maryland, where she oversaw multi-state litigation and outreach efforts on behalf of Maryland and Delaware's migrant and seasonal farmworkers. From 2003 to 2005, Ms. Dwyer was the Supervising Attorney of the Torts/General Civil Litigation Division of Texas Rio Grande Legal Aid, Inc., in Victoria, Texas, where she managed the provision of family law services for victims of domestic abuse, criminal justice reform and immigration.

Ms. Dwyer earned her J.D. from The University of Chicago Law School in 2003. While there, she was a member of the Latino/a Law Student Association, Secretary of the Public Interest Law Society and a Board Member of the Chicago Law Foundation. Additionally, Ms. Dwyer served as a Student Law Clerk at the Midwest Center for Justice, Limited, in Chicago, Illinois and the Texas Civil Rights Project, in Austin, Texas.

Ms. Dwyer double majored in Government and Sociology and received her B.A. from the University of Texas at Austin in 2000.

Ms. Dwyer is currently a Section Council Member of the Maryland State Bar Association's Immigration Law Section, a Member of the Maryland Immigrants' Rights Coalition (MIRC), President of the Latino Providers' Network, and a Member and Regular Presenter at Beinvenidos Meetings. She is fluent in Spanish and trained in the proper methods of working with an interpreter and Title VI requirements.

Ms. Dwyer is admitted to practice in Texas and Maryland.

Questions

1) Describe a typical day as a Staff Attorney, Migrant Farmworker Justice Project, Florida Legal Services
An attorney who represents farmworkers, such as myself, usually works at a civil legal aid office and first and foremost, considers herself an employment law attorney. She may also know a few things about immigration law, since a lot of her clients are immigrants, but first and foremost, she focuses on the labor rights of migrant and seasonal workers in the agricultural field. My clients are U.S. citizens, lawful permanent residents, foreign nationals on temporary U.S. visas (like H-2A visas where they are imported to perform agricultural labor) and people who are undocumented, i.e., they do not have permission to be in the U.S. legally. Most of my clients are field laborers, the people who pick the fruits and vegetables that we all enjoy each day.

The primary focus of legal aid programs with farmworker divisions (which exist across the country) is to engage in litigation, advocacy and community education to enforce the rights of farmworkers. Those rights include the right to receive at least minimum wage for each hour you work (even if you're paid a piece rate, like forty cents per bucket of tomatoes), the right to have cool, clean drinking water in the field, the right not to be sprayed with pesticides, and the right to have housing provided to you in a migrant camp if you live too far away from the worksite to travel home each night. Farmworker attorneys usually

conduct outreach in the evenings and on weekends (or whenever the farmworkers aren't working) in migrant camps in order to inform the farmworkers about their rights and where they can find social services or legal assistance if they need it.

When farmworkers explain their problems to us, such as not getting paid, being injured on the job, or the labor camp housing not meeting code, we discuss with the migrants what they would like for us to do. Their options generally include learning about their rights and approaching their employer as a group, asking us to negotiate with their employer for them, making a complaint to a state or federal agency, or bringing a lawsuit to enforce their rights. Depending upon the wishes of our farmworker clients, we have done all of the above with success.

Since doing outreach generates cases, I usually work on some kind of Motion or other filing that is due in one of my court cases, interview clients and prepare them for hearings or mediations, speak with various state or federal agency representatives (such as inspectors at various health departments which monitor migrant camp conditions), speak with various immigrant advocates who have come across a farmworker with a legal problem, do some legal research or review clients' documents (such as to find wage underpayment violations in payroll records), draft demand letters or settlement agreements and keep on top of developments in labor, immigration or employment law or other news (such as immigration reform) which might affect our clients.

Some days I come to work in jeans (like when we're going to do outreach at various migrant camps) and some days I wear a suit for court – each day is different and interesting. Sometimes we even go to foreign countries, like Mexico or Jamaica, where our clients are recruited from to speak with new clients, distribute settlement funds, conduct interviews and depositions, etc.

2) What initially attracted you to this field? What are some of the rewards of this area of law?

I am originally from El Paso, Texas, which is on the Texas-Mexico border. My mother is a naturalized citizen from Mexico. Growing up, my parents were very poor. I was affluent growing up, but my parents raised me with a strong sense of needing to give back. When I went to law school at the University of Chicago, it was the first time I had ever lived in a state where Latinos didn't comprise the majority of the state. I learned what a rarity, and a privilege, it was to be a Latina lawyer and how many immigrants, of any background, need good advocates. When I first graduated from law school, I worked for a legal aid program where I did general civil law. When I moved to Maryland, I decided to work in the farmworker program because the complicated and creative nature of that area of law was exciting to me. I also understood a little bit of the culture shock migrants go through on the East Coast.

It may sound like a cliché, but farmworkers are the poorest of the poor, and I like working hard for clients who work even harder themselves. Farmwork is probably the toughest and lowest paying job in the country (it's certainly one of the most dangerous), and yet each of us depends upon what farmworkers produce for us to eat almost whatever and whenever we want. My clients usually only want their basic human rights respected and an honest day's pay for an honest day's work. It's a shame that it sometimes takes a lawyer like me to step in to make that happen, but, when my clients win their case, it's a very empowering thing for them and all of the other farmworkers who see that they and legal services can make a difference.

For example, a few months ago, I negotiated a settlement for some guest worker clients (they were Mexican citizens who came to the U.S. on a lawful visa program to perform nursery and landscaping work). One of the farmworkers hurt his back on the job, and, when he complained about it, his boss tricked him into signing a form saying that he wanted to return to Mexico rather than getting medical care (so that the employer didn't have to pay him workers' compensation). Since that happened in the middle of the season, and he and his brother had paid about three weeks wages to get to the U.S. (again, lawfully), his brother complained to the boss that what the boss was doing wasn't right. The boss fired his brother, too! That is when the brothers remembered that our paralegals had been to their farm a few weeks before and told them about their rights, including workers' compensation and contract rights. The brothers called us, and we were able to get them both rehired. Unfortunately, the boss didn't pay them the minimum wage or overtime. So when they finished the season, we sued for their wages. We recently

reached a settlement agreement whereby our clients will receive all of their back wages, damages, costs and fees. In addition to the money, the clients also made the employer agree to stock toilet paper and hand soap in the bathrooms and to give all other farmworker employees who work outside a five-minute water break every two hours. Those clients understood our work is about making sure all farmworkers' rights and human dignities are respected. I love my job!

3) What are some of the downsides of this area of law? How would you compare the reality of your profession to the picture you had of it while in school?

One downside to representing farmworkers is that you have to do a lot with very little resources. For example, your cases generally affect a lot of people and are complicated cases in federal court. Your opponents usually hire large law firms with multiple lawyers, so it's sometimes a challenge keeping up with all of the motions, etc. that opponents with more resources can throw at you. That said, farmworker legal services advocates are generally the very best at what we do, and we almost always win our cases. It is also challenging keeping up with your clients, who may be working in various states or countries while their lawsuit is going on! Balancing your time in the office and out in the field conducting outreach is also hard sometimes, but then again, who else gets paid to drive around on country roads when all of the fall leaves are bright with color?

The picture that I had in my mind when I was in law school of a legal aid advocate was someone who was really overworked and who was constantly in court doing routine things. In reality, while we are overworked, we have a lot of control over our cases, the strategic decisions we make, and the advocacy we employ (such as media advocacy or non-legal tactics). I am not in court as much as I was as a non-farmworker attorney, but that is because most of our cases are worked out in hard-fought settlement agreements before trial. This is a much more creative and flexible field than I had thought – and I have to use my Spanish a lot more than I would have thought, too.

4) Do you have any advice for an undergraduate interested in attending law school and, specifically, pursuing this body of law?

While I encourage students considering law school, and farmworker law, to take the plunge, I suggest that they try interning for a law office (particularly a legal aid or public defender office) before they go to law school. That will help you see if you still want to be a lawyer after putting your nose to the grindstone in those challenging (albeit rewarding) environments (or if you really want to practice corporate law with a more reliable schedule and salary instead). You should try to have a realistic basis for why you want to go to law school before you start. Otherwise, it's just too expensive for you to stop once you've enrolled!

If you really think you want to go into public interest law, you should research the law schools that help forgive your student loan debt upon graduation in exchange for public service. I cannot stress how important it is to be able to manage your student loan debt on a public interest salary (commonly called LRAP, or loan repayment assistance programs). You do not want your law school debt to determine your career path before you've even graduated – loan forgiveness keeps all of your career options open. Fortunately, Congress also just passed a national law school debt forgiveness program for legal aid and government attorneys (including public defenders); students can visit www.lsc.gov for more information.

Contact Information

If you would like to learn more about being an attorney who represents farmworkers, the Migrant Farmworker Justice Project, or have additional questions for Ms. Dwyer, you may contact her directly via email at Daniela@floridalegal.org. For those interested in learning more about farmworker advocacy, Ms. Dwyer also recommends the news and blogs found at www.harvestingjustice.org, www.ufw.org, or www.floc.org.

5. UPCOMING PRE-LAW MEETINGS AND PROGRAM ANNOUNCEMENTS

JHU's Milton S. Eisenhower Symposium: RNC Chairman Michael Steele & Rep. Aaron Schock (R-IL)

Location: Shriver Hall Auditorium

Date: Thursday, November 5, 2009

Time: Doors Open at 7:30p, Lecture at 8p

Description: A discussion on the role and future of young people in public service, featuring Republican National Committee chairman Michael Steele (JHU '81, GULC '91), and Rep. Aaron Schock (R-IL), the youngest member of Congress. Free. For more information, email mse@jhu.edu or visit <http://www.jhu.edu/mse>.

Upcoming LSAT Administration for 2009/2010

Location: Check with LSDAS for testing locations. The next LSAT administration on campus will be in June 2010.

Date: Saturday, December 5, 2009 / Saturday, February 6, 2010

Time: Registration begins at 8:30a - consult with LSDAS for all controlling details

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Please feel free to use the resource library between 8:30 a.m. and 4:30 p.m. everyday or visit our website <http://web.jhu.edu/prepro/> for additional information.