

Final Reflection

BY HANNA WASON '10



Individual Education Program team meetings, juvenile court proceedings, treatment team meetings, client meetings, placement tours, work on systematic change ... a day working on the Youth Law Project is both busy and rewarding. As a Youth Law Project intern at New Hampshire Legal Assistance, I had the opportunity to shadow attorney Leah Plunkett working on a new project that focuses on providing civil legal advocacy for children and teenagers across the state. Many of the adolescents I worked with are facing delinquency or CHINS (Child In Need of Services) petitions. They are often referred to the Youth Law Project by their public defenders or their judges.

Although the project focuses on educational, health, mental health, and other services necessary to help adolescents stay in their homes and communities and out of the juvenile justice system, my supervising attorney primarily focuses on school discipline and special education law. I had the opportunity to research students' constitutional rights in and out of school, and to learn about balancing the complexities of limiting student's rights to keep schools safe and preserving their constitutional rights.

I also discovered that the special education system is much more complex than I had ever imagined. Schools, students, and parents work together to provide an educational program for students who have special needs. Unfortunately, schools often lack the funding and resources to provide the support that some of the students require.

The Youth Law Project works with the schools to help create an effective educational program for each adolescent. The supervising project attorney reports each adolescent's educational status to the judge at any related juvenile court proceedings. There is a strong correlation between students who are unsuccessful at school and the students who are involved in the juvenile justice system. Helping these students work on their educational programs has the potential to give them the skills and the motivation to thrive at school and to successfully stay out of the juvenile justice system.

Working with a supervisor who is passionate about adolescents and working with a number of youths has taught me an essential skill — the importance of listening. Although it sounds like a basic concept, I watch adolescents interact with their parents, teachers, and counselors, often without actually listening to each other. Although I am confident that all of these adults care for the adolescents, the adults often converse about what is best for the adolescent without asking for or receiving input from the student.

My supervisor taught me the many benefits of including the adolescent as an active and critical component to the discussion. In order to be successful, a program must consider the wishes of the individual it seeks to benefit. The ability to listen is a skill that is important for every profession. Listening to a client, whether he/she is an adolescent or an adult, is essential for an effective advocate, and I plan to use the skills that I have learned this summer to advocate for adolescents in the future.

Wason plans to practice in the field of juvenile justice in New Hampshire.

The Last Roadblock

BY TYLER OBENAUF '09

I was saying goodbye to Henry when he asked me about the MPRE (Multistate Professional Responsibility Exam) that I was taking the next day. He wished me luck and told me that he wanted to know how I ended up doing on the exam. Henry had been in jail for two years awaiting trial on a variety of charges. Henry was facing the death penalty.

Working for the Georgia Capital Defenders, I learned the value of compassion and dedication in the law. My clients were incarcerated awaiting trial and had contact visits with their family through glass windows. The interaction they had with me, an intern, was some of their most valued time. Sometimes we talked about upcoming trial dates or deadlines and how that impacted their case. Other times, another one of my clients, Jonathan, and I talked about birthdays and he told me how he celebrates in jail.

People referred to my clients as murderers; people deserving of the death penalty. What the citizens of Georgia fail to comprehend is that they are still people. The Georgia Capital Defenders was, and still is, in the midst of a funding crisis. For example, millions of dollars was expended on the Brian Nichols trial. Nichols was found guilty of the March 2005 killing spree at the Fulton County Courthouse in Atlanta.

The Georgia Capital Defenders represents every defendant who faces the death penalty in Georgia. But as the number of cases increases, their funding stays the same. Days before my fellowship was over, Georgia Governor Sonny Perdue instituted a budget freeze on the office, severely hindering any ability the office had in defending clients.

This was not the first time the State of Georgia had played a game of “cat-and-mouse” with indigent death penalty defense. Last December, I received a call from the office informing me of a budget problem and they mentioned the possibility that they would have to furlough all of the attorneys for the month of June to save money. This would have impacted me because I would not have been

allowed to work. Only after the state received much vituperation from judges across Georgia did the legislature relent and authorize more money for defense. A month after I began working, the state legislature completely defunded the Metro Conflict Public Defender’s Office, which allows co-defendants in crimes access to dedicated lawyers because professional responsibility rules do not endorse joint representation.

The attorneys and support staff working for the Georgia Capital Defenders are extremely dedicated to their work. On the first day, we were told that the goal was not to acquit their clients, but to save their lives. The men and women of the Georgia Capital Defenders try everyday to save their clients’ lives — a job that is becoming increasingly difficult due to partisan support to defund the organization by the state legislature. The State of Georgia is trying to remove the last roadblock to execution: a dedicated and qualified lawyer.

Jonathan’s trial began September 29, 2008. He was tried in a county that has handed down the most death penalty sentences in the state, by a prosecutor that was 15 for 15 in death penalty cases. Jonathan was found guilty, but the jury did not impose the death penalty.

Obenauf is from Fairport, NY. He plans to work in criminal defense following graduation.

