

Stephen and Sandra

SHELLER

CENTER *for*

SOCIAL JUSTICE



Temple University

Beasley School of Law

TEMPLE'S SHELLER CENTER

ENGAGING STUDENTS IN PUBLIC INTEREST CAUSES

BY LAWRENCE S. FELZER

When you first enter the Stephen and Sandra Sheller Center for Social Justice, part of Temple University Beasley School of Law, one is struck by how open the room is with natural light beaming in through the windows. The stream of light could be viewed as inspiration for the staff and law students to follow the vision of social justice for all.

The Sheller Center was established in 2013 thanks to a generous gift from Stephen and Sandra Sheller. “We talk a lot about freedoms that Americans have,” says Sandra Sheller, “and a lot of times if you’re combating poverty and chaos and oppression you can’t really partake of those freedoms. So the whole idea is on a higher level to advocate for those people that don’t have a voice, and maybe even empower them to advocate for themselves.”

The Sheller Center utilizes a unique approach in a law school setting to help others with projects focused both on representation of individual clients and broader policy advocacy, with the hope that both will result in systemic change.

“The law school is always seeking creative solutions to address the ways in which we fall short of the promise of justice for all,” said JoAnne Epps, dean of Temple University Beasley School of Law. “The Stephen and Sandra Sheller Center for Social Justice will help us realize this goal.” The Sheller Center is staffed by Hon. Sandra Mazer Moss (Ret.), executive director, law school professors and law students both enrolled in a clinical program and volunteering their time.

In its first two years, the Sheller Center has focused on issues such as wage theft, barriers to justice for non-English speaking individuals in Pennsylvania’s courts, immigrants



Emily Bock and Bradley Napier, students of Temple University Beasley School of Law and volunteers with the Stephen and Sandra Sheller Center for Social Justice. Photo courtesy of Hon. Sandra Mazer Moss (Ret.)

being held in jail and allowing driver's licenses for undocumented immigrants. None of this work is done in isolation as the Sheller Center collaborates with other local groups such as ACLU of Pennsylvania, Community Legal Services and Friends of Farmworkers.

Each semester, interested law students take a clinical class titled "Social Justice Lawyering," taught by Professor Jennifer Lee, and work in small groups on individual cases and policy advocacy. A two-pronged approach is what differentiates the Sheller Center experience from other clinical programs. The classroom component of the clinical includes simulated client interviews and discussions on how to make a client feel comfortable and heard. At the moment, systemic advocacy efforts include attending community meetings; researching, drafting and issuing policy reports; and participating in community education efforts. Professor Lee feels it is the mission of her class to teach and talk with law students about social justice. She thinks it is important to expose law students to social justice lawyering and show that it can be done in multiple ways. Students learn what it is like to represent or advocate for a client in a courtroom and also learn the role of

the lawyer in working in a coalition on policy and legislative matters, including what it is like to work with non-lawyers to effect policy. This program allows students to participate in change and present a fresh perspective. "[Y]oung eyes see things differently than older eyes" said Judge Moss.

From the students' perspectives their time in the clinical program at the Sheller Center has been invaluable. The clinical provides law students with the unique opportunity to do both individual client and policy work. Third-year law student Bradley Napier found the "perspective of looking at issues from micro and macro" very different from the usual experience of just doing micro (individual client) work. Emily Bock, another third-year, enjoys the amount of autonomy law students have working in small teams, allowing the students to learn on their own and then follow up with the professor to discuss what was learned. Bock said that it was especially interesting to learn the rules of evidence or civil procedure in the classroom, then see how those rules apply in a real case. Napier said that seeing these rules applied in a real setting is like having a "light bulb go off in your head," allowing students to learn something and then apply it. Bock

had the unique experience of calling magistrate court offices all over the state to find out what their policies were with respect to providing interpreters to non- or limited-English speaking individuals in court. This information was then compiled for release in the Sheller Center's report titled "Barriers to Justice for Non-English Speakers in Pennsylvania Courts" issued in February 2015. This report found that the courts often operated in violation of federal and state laws requiring state courts to provide language-access services. This language-access report received extensive press coverage, including articles in *The Legal Intelligencer*, *The Philadelphia Inquirer*, the *Pittsburgh Post-Gazette* and other newspapers around the state.

COMBATING WAGE THEFT AND PROTECTING LOW-WAGE WORKERS

Wage theft has been one major focus area of the Sheller Center and its report titled "Shortchanged: How Wage Theft Hurts Pennsylvania's Workers and Economy" was released in June 2015. This report provided the first data on the prevalence of wage theft in Pennsylvania. Wage theft is when workers are cheated out of

The law students staged skits in Spanish to educate the workers about their rights with the police and how to prevent themselves from being arrested.

overtime they are legally entitled to, not paid minimum wage or otherwise shortchanged when they receive their paycheck. The report estimated that in an average workweek almost 400,000 Pennsylvanians experience a minimum wage violation and more than 300,000 Pennsylvanians experience an overtime violation. This is estimated to cost Pennsylvania workers \$19 million to \$32 million a week. The comprehensive 52-page report states “wage theft is bad for the state and its residents. The state economy suffers when employers steal from low-wage Pennsylvania workers because this money would otherwise be spent in the local economy. We estimate that such stolen wages deprive the state of tens of millions of dollars of valuable tax revenue each year. Wage theft also penalizes law-abiding businesses, who are at a competitive disadvantage compared to employers that break the law.” The report concludes with a number of recommendations including specific recommendations listed to strengthen local laws and to improve state agency enforcement.

In addition to Sheller Center students working directly with workers trying to obtain wages due to them, in an innovative education project to inform low-wage workers of their rights, law students from the Sheller Center went to a parking lot in Northeast Philadelphia where low-wage workers congregate. The police had been hassling these workers when congregated in the parking lot. The law students staged skits in Spanish to educate the workers about their rights with the police and how to prevent themselves from being arrested.

SUPPORTING IMMIGRATION RIGHTS ADVOCACY

Another major focus area of the Sheller Center has been immigration rights, with a 25-page report issued in

June 2015 on why Pennsylvania’s refusal to issue driver’s licenses to individuals based on their immigration status is bad policy. The law prevents undocumented residents from driving under any circumstances, even when experiencing an emergency. The report concludes that this current policy is harmful because it wastes law enforcement resources, denies full economic participation to all Pennsylvania residents, limits access to basic needs and harms family unity. The report states Pennsylvania would benefit if this law was changed by the increased revenue from issuing driver’s licenses, promoting public safety by requiring drivers who might drive anyway to get to a job or medical appointment to take the driver’s test, improving relationships between law enforcement and immigrant communities and promoting economic benefits for all Pennsylvania residents. Immigrant rights were also the subject of another Sheller Center report titled “A Changing Landscape: Pennsylvania Counties Reevaluate Policies on Immigration Detainers.” This comprehensive 51-page report with information on the policies of each of Pennsylvania’s 67 counties, found that approximately half of Pennsylvania counties no longer hold individuals in local jails at the request of U.S. Immigration and Customs Enforcement (ICE) after they are otherwise eligible to be released. This is as a result of a 2014 federal court ruling in *Galarza v. Szalczyk*, that found that “ICE holds” or “ICE detainers” are discretionary. These detainers leave local agencies that honor them open to legal liability and divert resources away from other local law enforcement needs. The report noted that some counties made changes in their policies as a result of the questionnaire that was sent to the county to compile information for this report. However, the report also noted that although Pennsylvania counties are moving away

from honoring ICE detainers this does not answer the question of how counties will collaborate with ICE in the future.

In September 2015 the Sheller Center, working with other advocacy groups, called on the Pennsylvania Department of Human Services to close a detention center in Berks County, where they say children as young as 11 days old are held illegally for immigration violations. A protest was held in Center City Philadelphia to call attention to this injustice. According to advocates, under Pennsylvania law, children under nine years old may not be detained and minors cannot be detained without a court order. Both provisions of the law were being violated with respect to the children being detained in Berks County.

A FUTURE IN PUBLIC INTEREST LAW

Longer-term goals for the Sheller Center, according to Professor Lee, include having the Sheller Center pull together synergies from the different schools at Temple University, such as working with a criminal justice professor from outside of the law school. Regardless of what future direction the Sheller Center takes, the impact it is having on low-income and vulnerable populations through its work is enormous and immeasurable. The unique and invaluable combined individual representation and policy advocacy clinical experience that law students receive at the Sheller Center also impacts future lawyers in Philadelphia, training them to become tomorrow’s leaders in the Philadelphia Bar Association and the city. ■

Lawrence S. Felzer (lfelzer@SeniorLAWCenter.org) is the director of development and finance at the SeniorLAW Center.