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Student Team Litigates Harassment Case

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BRINGING LAW TO LIFE

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STUDENT TEAM LITIGATES HARASSMENT CASE

March 15, 2017

Cardozo's Criminal Defense Clinic went into action this fall with a trio of 3L students leading the charge, to defend a client. Students who participate in the clinic experience courtroom work while also taking a companion seminar focusing on instruction in criminal law, procedure, evidence and the ethics of criminal advocacy.

Ivette De Moya, Sylvan Jaspen and Emily Pelz, under the direction of Clinic Director Jonathan Oberman and Clinical Fellow Kendea Johnson, took on the case of a man accused of harassment and contempt. The CDC allows students to work under the umbrella of a "student practice order," approved of by the Appellate Division First Department and in cooperation with the Legal Aid Society, through which they can practice law with oversight from a supervising member of the Defense Clinic faculty

The team started prepping in September 2016, doing legal research, fact gathering and conducting interviews of possible witnesses. All three students had gone through Cardozo's Intensive Trial Advocacy Program (ITAP) as second year students the preceding January, which made them Professor Oberman's top choices to defend the client as they were best situated to assume full responsibility for a trial posture case from the inception of the academic year. ITAP takes place every January and teaches students courtroom litigation techniques.

The trial date was postponed a few times over the fall and early winter but finally came to New York County Criminal Court in February. Jaspen said, "we all felt ready and we had so much preparation going into it."

Pelz said the group "used every tactic we could to try and win, and the leadership of our mentors and training really paid off. Doing a trial is an incredible experience for a student."

The client was found guilty but despite this, the team was proud of their

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Professor and Immigration Justice Clinic (<https://cardozo.yu.edu/clinics-professional-skills/clinics/kathryn-o-greenberg-immigration-justice-clinic>) Co-Director Lindsay Nash's article titled (<https://www.nydailynews.com/opinion/ny-oped-ices-cruelty-explained-20190714-nza66q6xm</body></html>>)

May 3, 2019

[Indie Film Clinic Hosts Pop-Up Event at Ghetto Film School in the Bronx \(/news/indie-film-clinic-hosts-pop-up-event-ghetto-film-school-bronx\)](https://cardozo.yu.edu/news/indie-film-clinic-hosts-pop-up-event-at-ghetto-film-school-in-the-bronx/)

The Indie Film Clinic hosted a pop-up event at Ghetto Film School (GFS) in the Bronx on Thursday, offering free legal services to independent filmmakers.

work. All three students are looking to embark on careers in public defense and agreed that the firsthand experience in the courtroom was one that was beyond measure at this stage.

Their client was so grateful for their help, and was moved to tears by Ivette's closing argument. "He really felt we did our best," Pelz said. De Moya commented that, "this experience helped us appreciate how we should define success as future public defenders. Sometimes it's not about getting the case acquitted. Sometimes it's about knowing that you gave your best quality work for your client."

"Clinical pedagogy is premised on a loop-like mantra," Oberman explained. "Preparation, action, reflection. And our students engaged in that loop with this case for an extended period of time. The goal of our teaching is to encourage students to be careful, thoughtful, intentional and ethically zealous practitioners. We emphasize the need to practice based on reflection and choice and not unexamined reaction. That our client, while disappointed in the outcome, was grateful for the representation provided by Ivette, Sylvie and Emily speaks to how deeply they internalized and practiced these principles."

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[Kathryn O. Greenberg Immigration Justice Clinic Files FOIA Suit \(/news/kathryn-o-greenberg-immigration-justice-clinic-files-foia-suit\)](#)

Students in the Kathryn O. Greenberg Immigration Justice Clinic, together with co-counsel at the American Immigration Council (Council), filed a suit in New York federal court last week that could prevent deportation for immigrants with pending cases.

March 12, 2019

[Human Rights Clinic and Dispute Resolution Program Join Forces to Help Indigenous People in Brazil \(/news/human-rights-clinic-and-dispute-resolution-program-join-forces-help-indigenous-people-brazil\)](#)

Professor Jocelyn Getgen Kestenbaum, director of the Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic and Professor Lela Love, director of the Kukin Program for Conflict Resolution, traveled to Amazonas, Brazil in February to train federal prosecutors.

March 5, 2019

[Bet Tzedek Civil Litigation Clinic Wins ADA Settlement Against FDNY for Discrimination Against Veteran with PTSD \(/news/bet-tzedek-civil-litigation-clinic-wins-ada-settlement-](#)

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