

Law School Legal Clinics - 2018 Update

By Elizabeth Harmon

For a person looking for no-cost or low-cost legal advice or assistance with a legal matter, several university law schools and private law schools in Orange County provide a variety of clinics to address law-related problems. The clinics range from tax law clinics to family violence clinics. Each law school has their own criteria for selecting applicants to assist at their clinics. Below is a short description of some of the university legal clinics located in Orange County:

1. **Chapman University** has a cross section of clinics to choose from: <https://www.chapman.edu/law/legal-clinics/index.aspx>

Alona Cortese Elder Law Center provides service to needy seniors in partnership with county legal aid groups and pro-bono attorneys in such areas as wills, elder abuse, advance health care directives, and consumer rights. {714} 628-2504 or {714} 628-2577.

Bette & Wylie Aitken Family Protection Clinic assists clients who have suffered domestic violence; victims of human trafficking; help with protection order problems, and immigration. {714} 765-1579.

Constitutional Jurisprudence Clinic has participated in a number of cases that have gone before the United States Supreme Court, some of which have become landmark cases. {714} 628-2666.

Entertainment Contracts Law Clinic students work with independent, small-budget filmmakers to prepare production-based contracts and documents, while providing production-type legal advice for their feature-length film. {714} 628-2675.

Tax Law Clinic is the longest-running clinic at the School of Law and has helped thousands of taxpayers. The students, supervised by attorney-professors, assist the clients in various ways, which can include meeting with the IRS to negotiate a settlement or appear in court if the settlement attempts fail. {714} 628-2535.

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Orange County v. the State

By Mora Prestinary

“Sanctuary: A safe place where legal process cannot be executed.” (Black’s Law Dictionary).

On March 6, 2018, a federal lawsuit was filed against California, alleging that three of the state’s laws are unconstitutional; it claims California law is in conflict with federal laws: *U.S. v. State of California*, 2:18-at-00264, U.S. District Court, Eastern District of California (Sacramento). (Read brief at 2018 WL 11816250)

U.S. Attorney General Jeff Sessions made a moving appeal in a speech in Sacramento, saying the Justice Department isn’t asking state or local agencies in California to enforce federal immigration laws but to stop obstructing U.S. law enforcement officials from doing so. He threatened to pull federal funding from cities and counties (and states) that he deems uncooperative.

The lawsuit challenges three California statutes:

“Immigration Worker Protection Act,” [AB 450](#), which prohibits private companies from voluntarily cooperating with federal immigration agencies consistent with their obligations under federal law. The Act interferes with federal law. It is unconstitutional by virtue of both the Constitution’s Supremacy Clause and the intergovernmental immunity doctrine.

[Assembly Bill 103](#) which authorizes state authorities to review and inspect federal detention facilities in California, requires the AG of CA to investigate the immigration enforcement of federal officials.

[Senate Bill 54](#) (California Values Act) which limits the ability of state and local officers to provide basic information regarding those in their custody. Government Code, Section 7282 of the Government Code (Senate Bill 54) is amended: https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB54

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2. Trinity Law School has a variety of legal clinics that partner with three organizations.

<https://tls.edu/clinics/#popmake-463>

Bankruptcy Clinic is pro bono clinic located on Trinity's campus, which serves residents of California in Chapter 7 bankruptcy cases. Under the supervision of a bankruptcy attorney, students help clients find solutions to problems and prepare cases to file per se. {800} 922-4748.

Mobile Legal Clinic is a mobile law office that is operated in conjunction with the Orange County Rescue Mission. Trinity students provide pro-bono legal help to those who have no other avenue to legal services. {800} 922-4748.

Orange County Rescue Mission hosts a legal clinic operated by the law school. Trinity students offer legal help under the supervision of an attorney. {800} 922-4748.

Pacific Justice Institute is a legal aid organization that concentrates on the defense of religious freedom and is located on the Trinity campus. {800} 922-4748.

3. UC Irvine School of Law has wide range of legal clinics. <http://www.law.uci.edu/academics/real-life-learning/clinics/>

Appellate Litigation Clinic offers law student representation in the Ninth Circuit Court of Appeals. {949} 824-9660.

California Department of Fair Employment and Housing Civil Rights Clinic joins a law student with a DFEH attorney who supervises the student's work with employment discrimination lawsuits, neutral investigations filed with the DFEH plus works on class and group-action lawsuits. {949} 824-8907.

Community & Economic Development Clinic partners law students with community groups, non-profit groups, private citizens, and small businesses on transactional matters. {949} 824-9660 or {949} 824-9646.

Criminal Justice Clinic provides student representation in criminal court for low-income plaintiffs charged with misdemeanors. {949} 824-9660.

Criminal Justice Dispute Resolution Clinic is a valuable resource for male residents of Juvenile Hall who may encounter serious issues such as gang activity and racial tensions. Student mediators work with residents who have had problems, providing them with dispute mediation and peer mediation training.

Domestic Violence Clinic helps clients who have suffered from domestic violence. Students offer advice regarding the law and assistance in court. {949} 824-7916.

Environmental Law Clinic covers a wide area of environmental and natural resource issues. Law students support litigants in court and offer counseling to clients on strategy and policy issues. {949} 824-9646.

Immigrants' Rights Clinic provides immigrants and immigrant organizations representation in an assortment of legal matters. {949} 824-9660.

Intellectual Property, Arts, and Technology Clinic counsel artists, entrepreneurs, filmmakers, non-profit groups, and small inventors on matters dealing with copyright, media, patent, and privacy law. {949} 824-9646.

4. College Legal Clinic, Inc. – Cal State Fullerton

The *College Legal Clinic* offers members of the public quality legal help for an annual fee of \$25.00. This fee includes an initial referral to an attorney and a 15-minute consultation at no cost. The fee covers not only the member but the member's family as well. The Clinic is available on Thursdays while school is in session. {657} 278-5850.



by Mora Prestinary



Is it possible to expunge a federal felony?



Under [18 U.S.C. 3607\(c\)](#) only a person who is guilty of a minor drug offense under the Controlled Substances Act (21 U.S.C 844) may have their record expunged.

Other federal criminal offenses require a presidential pardon.

Pardon Information and Instructions : <https://www.justice.gov/pardon/pardon-information-and-instructions>

Restoration of Rights Project : <http://restoration.ccresourcecenter.org/>

Orange County v.
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PRO SANCTUARY

California: In defense of States Rights, it is not a proper exercise of federal power to dictate how state law-enforcement agencies manage their resources and prioritize their missions. California's policy of noncooperation no doubt makes enforcement more difficult, but it doesn't constitute obstruction or interference. Actually, the law limits but does not prohibit the two sides from working together.

"ACLU: 'SB 54 ensures that no state or local resources are diverted to fuel any attempt by the federal government to carry out mass deportations and that our schools, our hospitals, and our courthouses are safe spaces for everyone in our community. The Bill, Commonly Known as the 'Sanctuary State' Bill, Will Limit State and Local Police's Role in Deportations" <https://www.aclunc.org/news/aclu-applauds-governor-brown-signing-california-values-act-sb-54>

League of Women Voters

<http://lwvlc.org/lwv-content/uploads/Sanctuary-Cities-Everymember-Material-Final-Online-version-with-references.pdf>

The League does not support deporting unauthorized immigrants who have no history of criminal activity.

FLASH: April 17, 2016: The Supreme Court held that part of a federal law that makes it easier to deport immigrants who have been convicted of crimes is unconstitutionally to vague. to be enforced. (<https://www.cnn.com/2018/04/17/politics/supreme-court-federal-law-deportation-immigrants/index.html>)

ANTI SANTUARY

But while states have broad police power within their own jurisdictions, they can't interfere with federal law, which the Constitution proclaims is the "supreme law of the land". The national government should respect the spheres of state control, while states likewise should respect Washington's constitutionally granted prerogatives.

Mr. Sessions argues that the California Values Act defies a 1996 federal law that bars state and local governments from prohibiting the exchange of "information regarding" an individual's immigration status. (*8 U.S. Code § 1373 - Communication between government agencies and the Immigration and Naturalization Service*).

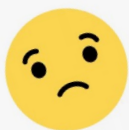
The California Values Act, (SB 54), limits how state and local officials may cooperate with federal immigration officials. Absent a judicial warrant, law-enforcement agencies in California are forbidden to provide federal authorities with information about an alien's release date. This prevents federal agents from taking custody of suspects at a secure facility, reducing the likelihood that the suspects will be caught and potentially putting federal officers in dangerous situations.

Los Alamitos votes to opt out of California sanctuary law. <https://www.ocregister.com/2018/03/19/los-alamitos-immigration-debate-sparks-singing-shouting/>

Los Alamitos may be the first city to pass an ordinance saying it wants out of the sanctuary movement. On Monday March 19, the Los Alamitos City Council voted 4-1 following more than two hours of heated testimony from residents on both sides of the issue, passed an ordinance saying it wants out of the sanctuary movement, alleging that three of the state's laws are unconstitutional. California's so-called sanctuary law, SB-54, puts them at odds with the U.S. Constitution.

Subsequently, elected officials in Orange and Newport Beach, following hours of passionate testimony from both sides of the sanctuary issue, voted to oppose a new California law that protects people living in the country illegally. Los Alamitos, Huntington Beach, Mission Viejo, Yorba Linda, Aliso Viejo, Fountain Valley, Westminster and San Juan Capistrano and the Orange County Board of Supervisors voted to join the U.S. Department of Justice lawsuit against the State of California's sanctuary cities law (SB54) during their meeting in Santa Ana on Tuesday, Mar 27, 2018.(L.A. cities Hesperia, Escondido, and Barstow, have also joined the opposition).

The storm persists, it is not passing away. This is a highly emotional issue that transcends the law and burrows deeply into the human psyche. When personal space is being invaded, immediately, there is a thrust forward to defend it. Human nature begs to be territorial. It carves out a tiny niche and calls it "mine". The niche is given a scent, a shape and a sense of security by its dweller. Those who are already here, think it's "mine". Those who come lately, think it's "mine", too.



After 25 years, the Law Bookstore, previously located on La Palma in Anaheim, has closed their doors to walk-in business. However, some of their inventory is still available on their website at www.thelawbookstore.com.

Looking at the Web

by Mora Prestinary

Federal Register: from 1936 to Present <https://www.govinfo.gov/app/collection/FR>

The Federal Register is updated daily by 6 a.m. and is published Monday through Friday, except Federal holidays.

Gov Info: www.Govinfo.gov/

Provides free access to the full text of official publications from all three branches of the Federal Government.

Will eventually replace FDYSYS (<https://www.gpo.gov/fdsys/>).

Separation of Powers:

Law Day 2018

https://www.americanbar.org/groups/public_education/initiatives_awards/law-day.html

U. S. House

<https://www.house.gov/the-house-explained/branches-of-government>

National Archives

<https://www.archives.gov/education/lessons/separation-powers>

National Conference of State Legislatures

<http://www.ncsl.org/research/about-state-legislatures/separation-of-powers-an-overview.aspx>

The term "trias politica" or "separation of powers" was coined by Charles-Louis de Secondat, Baron de La Brède et de Montesquieu, an 18th century French social and political philosopher.

His publication, *Spirit of the Laws*, is considered one of the great works in the history of political theory and jurisprudence, and it inspired the *Declaration of the Rights of Man* (link to English translation) and the *Constitution of the United States*. (link to transcription at National Archives)

Under his model, the political authority of the state is divided into legislative, executive and judicial powers. He asserted that, to most effectively promote liberty, these three powers must be separate and acting independently.

[The Hidden World of National Parks](#)

Experience the wonder of five different national parks in the United States: Kenai Fjords, Hawai'i Volcanoes, Carlsbad Caverns, Bryce Canyon, and Dry Tortugas.

These interactive tours include three-dimensional video and camera footage, interactive visuals, historical footage, and more.

Awarded the 2017 Webby Award for Best Educational website.

Click below for your moment of Zen.

<https://artsandculture.withgoogle.com/en-us/>

[The Library will be closed](#)

Monday May 28, 2018

&

Wednesday July 4, 2018

Our next issue will be in August.

Have a great summer!

[Orange County Public Law Library](#)

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