



ALBANY LAW SCHOOL

CENTER FOR CONTINUING LEGAL EDUCATION

Crisis Lawyering: Effective Legal Advocacy in Emergency Situations

April 7, 2021

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“Crisis Lawyering: Effective Legal Advocacy in Emergency Situations”

April 7, 2021

Panelists: Christy E. Lopez, Richard Pinner & Sarah Rogerson

Moderated by Ray Brescia

Agenda

Introduction: Ray Brescia

A. *Understanding Lawyer Crises.*

A description of the types of crises the panelists face in their respective practice areas and an assessment of the similarities and differences between them.

B. *Lessons in the Midst of Crises*

The nation faces several crises – the pandemic, a racial justice crisis and the crisis of democracy and the rule of law. How can the panelists’ experiences inform how the legal profession addresses these crises?

C. *Preparing for Lawyer Crises.*

What recommendations do the panelists have for lawyers or law students who may want to crisis-proof their current or future practice (to the extent they are able)?

D. *Getting through Law School.*

What recommendations do the panelists have for students still in law school?

E. *Questions from the Audience for the Panelists.*

Speaker/Moderator Biographies

Christy E. Lopez

Christy E. Lopez is a Professor from Practice at the Georgetown University Law Center in Washington D.C. She teaches courses on policing and criminal procedure and co-directs Georgetown's Innovative Policing Program, including the Police for Tomorrow Fellowship and the ABLE (Active Bystandership in Law Enforcement) Project. She currently is co-chair of the Washington D.C. Police Reform Commission. She also is a Fellow on the American Law Institute (ALI) Principles of Law, Policing, Project and a contributing columnist to the Washington Post opinions page.

From 2010 to 2017, Professor Lopez served as a Deputy Chief in the Special Litigation Section of the Civil Rights Division at the U.S. Department of Justice. She led the Division's group conducting pattern-or-practice investigations of police departments and other law enforcement agencies, including litigating, negotiating, and implementing consent decrees. Professor Lopez directly led the team that investigated the Ferguson Police Department and was a primary drafter of the Ferguson Report and negotiator of the Ferguson consent decree. Professor Lopez also helped coordinate the Department's broader efforts to ensure constitutional policing. Professor Lopez was a Senior Trial Attorney in the Civil Rights Division from 1995 to 2000.

From 2003 to 2010, Professor Lopez served as a federal court monitor of the Oakland (California) Police Department for Senior District Judge Thelton E. Henderson of the Northern District of California. Professor Lopez holds a juris doctor from the Yale Law School and a Bachelor of Arts from the University of California at Riverside.

Richard Pinner

Richard Pinner is presently the Associate General Counsel at LISC, where he focuses on housing and economic development projects. He has been at LISC since February 2001. Prior to LISC, he was Deputy Director for Policy and Planning at The After-School Corporation and managed several federally funded programs as Program Director for the "I Have a Dream" Foundation. Richard has

also worked at the New York City Housing Partnership (working on affordable housing in New York City) and the Coalition for the Homeless (working on advocacy and impact litigation efforts with an emphasis on the homeless mentally ill and at-risk children). Immediately after graduating from law school, he was an associate at the firm now known as Arnold & Porter LLP. Richard has a B.A. from Johns Hopkins University and a J.D. from New York University School of Law.

Sarah Hill Rogerson

Professor Rogerson Directs the Immigration Law Clinic, an experiential course through which students represent immigrant victims of crime including child abuse and neglect, domestic violence and sexual assault. Her students also regularly participate in related legislative advocacy and community outreach initiatives. Professor Rogerson worked as a public interest attorney in Newark, New Jersey and has represented immigrant adults and children in cases involving torture, domestic violence, and human trafficking at a human rights non-profit in Dallas, Texas. Her scholarship is focused on the intersections between domestic violence, family law, race, gender, international law and immigration law and policy.

Ray Brescia

Ray Brescia is the Hon. Harold R. Tyler Chair in Law & Technology and a Professor of Law at Albany Law School. Prior to joining the Albany Law faculty full-time in the summer of 2007, he was the Associate Director of the Urban Justice Center, a staff attorney at the New Haven Legal Assistance Association, and a Skadden Fellow at The Legal Aid Society of New York. He also served as a law clerk to the Hon. Constance Baker Motley, U.S. District Court Judge for the Southern District of New York. He is the author of “The Future of Change: How Technology Shapes Social Revolutions” (Cornell University Press, 2020), as well as the co-editor of “Crisis Lawyering: Effective Legal Advocacy in Emergency Situations” (NYU Press, 2021); as well as “How Cities Will Save the World: Urban Innovation in the Face of Populations Flows, Climate Change, and Income Inequality” (Routledge, 2016). His opinion pieces have appeared in The Washington Post, The Hill, The National Law Journal, Slate, and the Huffington Post.

Program Materials

Brescia, Ray and Stern, Eric K, *Lawyers as Problem Solvers*, Introduction from CRISIS LAWYERING: EFFECTIVE LEGAL ADVOCACY IN EMERGENCY SITUATIONS (NYU Press, 2021) (excerpted with permission) available here:

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3784337

Christy E. Lopez, *Defund the Police? Here's What That Really Means*, WASHINGTON POST, June 7, 2020

<https://www.washingtonpost.com/opinions/2020/06/07/defund-police-heres-what-that-really-means/>

Georgetown Law School, Innovative Policing Program,

<https://www.law.georgetown.edu/innovative-policing-program/>

Council of the District of Columbia, D.C. Police Reform Commission,

<https://dccouncil.us/d-c-police-reform-commission/>

New York Coalition for the Homeless, *The Callahan Legacy: Callahan v. Carey and the Legal Right to Shelter*, <https://www.coalitionforthehomeless.org/our-programs/advocacy/legal-victories/the-callahan-legacy-callahan-v-carey-and-the-legal-right-to-shelter/> (describing litigation and including links to critical judicial decisions in the fight to establish the right to shelter under New York law).

Sarah Hill Rogerson, *The Politics of Fear: Unaccompanied Immigrant Children and the Case of the Southern Border*, 61 VILLANOVA LAW REVIEW 843 (2016), available here: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2763729

Sarah Hill Rogerson, *Sovereign Resistance to Federal Immigration Enforcement in State Courthouses*, 32 GEORGETOWN IMMIGRATION LAW JOURNAL 275 (2018), available here: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3286641

Brescia, Raymond H., *The Lawyer for the (Crisis) Situation* (September 4, 2020), GEORGETOWN JOURNAL OF LEGAL ETHICS, Forthcoming, Albany Law School Research Paper No. 8 for 2020-2021, available here:

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3686892

Brescia, Raymond H., *Lessons from the Present: Three Crises and Their Potential Impact on the Legal Profession*, Forthcoming, HOFSTRA LAW REVIEW, available here:

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3792987