

Mitch

University of Wisconsin Law School, Economic Justice Institute

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Relevant Professional Experience

Assistant Clinical Professor, *University of Wisconsin Law School, Madison, WI* May 2008 – Present

- ◆ Design and revise curricular materials and experiential education methods for clinical program.
- ◆ Teach substantive and reflective class sessions on housing law, employment law, public benefits, ethics, civil procedure, client interviewing, fact investigation, legal research and writing, trial preparation, trial advocacy, appellate procedure, administrative procedure, and community lawyering.
- ◆ Constantly supervise, critique, and evaluate students who work full-time in the summer and part-time in the fall and spring semesters, guiding their professional development.
- ◆ Nominated for 2009 Equal Justice Works Outstanding Law School Faculty Award.

Founder & Executive Director, *Community Justice Incorporated, Madison, WI* May 2004 – May 2009

- ◆ Developed and managed an innovative non-profit charitable law firm that provides greatly-needed representation to hundreds of low-income families and individuals every year.
- ◆ Solicited and secured individual and corporate donors, as well as agency and foundation grant funding to further support the organization's mission.
- ◆ Supervised, trained, and evaluated all staff including attorneys, administrative staff and student interns.
- ◆ Maintained an active successful law practice focusing on housing, employment, family, and mental health law areas, including being one of only 14 attorneys selected by the local judiciary to represent the best interests of children as Guardian ad litem in difficult juvenile guardianships, CHIPS and TPR cases.

Volunteer & Board Member, *Unemployment Insurance Appeals Clinic, Madison, WI* Dec. 2003 - Present

- ◆ Annually volunteer to train and supervise law students on client interviewing, substantive unemployment law, legal research and writing, as well as administrative hearing and appeal procedures.
- ◆ Engage in organization oversight and direction as a board member at meetings, including creating policies and procedures and revising the organization's forms and handbook.

Education and Training

Introduction to Empirical Research: for Clinicians and Public Interest Lawyers Oct. 2-3, 2009

Gittis Center for Clinical Legal Studies & The Association of American Law Schools, Bellow Scholars Group

University of Pennsylvania Law School, Philadelphia, PA

- ◆ Attended and participated in workshops discussing the use of various approaches in designing and conducting empirical legal research studies.
- ◆ Developed several research questions and outlined empirical research projects for subsequent scholarship.

Juris Doctorate, *University of Wisconsin Law School, Madison, WI* Dec. 2003

- ◆ Received Ray A. Brown Award For Leadership, Character, & Service.
- ◆ Completed all coursework and graduated in only 2.5 years, one semester early.
- ◆ Obtained extensive experience in law school clinical programs as a clinical student in the LAIP Project, Criminal Appeals Project, Consumer Law Clinic, and Unemployment Appeals Clinic.

Judicial Clerk for Judge Patrick J. Fiedler, *Dane County Circuit Court, Madison WI* Aug. 2003 – Dec. 2003

Bachelor of Science, Consumer Science, *University of Wisconsin, Madison WI* May 2001

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Presentations

Mitch. (October 2008 & May 2009). *Practicing Public Interest Law Without Going Broke*. Presentation at the State Bar of Wisconsin, Madison (Oct. 2008) and State Bar Convention Milwaukee (May 2009).

Mitch. (March 2007 & April 2008). *Managing the Early Years of Legal Practice*. Lawyering Skills Class, weeklong teaching engagements at the University of Wisconsin Law School, Madison, Wisconsin.

Mitch. (March 5, 2007). *Lawyering in the Public Interest*. Presentation to the National Lawyers Guild, Madison, Wisconsin.

Mitch. (April 20, 2007) *Introduction to Tenant Landlord Law*. Presentation and continued legal education training to private attorneys at the Tenant Resource Center.

Mitch. (February 28, 2007). *Careers in Public Interest Law*. Presentation to the University of Wisconsin Law School Public Interest Law Foundation, Madison, Wisconsin.

Mitch. (March 30, 2006). *Small Claims Assistance Center Training*. Presentation and required continuing legal education training to Dane County Bar Association volunteer attorneys.

Publications

"Financial Help Puts Public Interest Careers in Reach." (lead author) State Bar of Wisconsin, Wisconsin Lawyer, Vol. 81 No. 10, October 2008.

"Your Consumer Rights." (contributing editor) University of Wisconsin Law School, Consumer Law Clinic, 2004.

Current Research Interests & Pending Projects

Evaluating Eviction Mediation Efforts, What is the Most Effective Method to Prevent Homelessness?

In Dane County eviction cases two forms of mediation or dispute resolution are used, 1) the Tenant Resource Center provides a mediator who meets with litigants before most joinder conferences, and 2) when the private mediator is not available, the Court Commissioner often attempts to resolve the eviction by encouraging the parties to settle the matter at the joinder stage. Avoiding eviction trials and homeless citizens saves the court and the community significant resources. This pending project seeks to study and compare Dane County's eviction case data to other counties and analyze the data to determine what method(s) of mediation are more cost effective. The results could be used to highlight changes to be adopted throughout the state, or the development of mediation services in counties with large rental markets, possibly resulting in saving judicial and community resources statewide.

The Guardian Ad Litem (GAL) Project Fellowship

I had the honor of being selected by the local judiciary to serve as one of only 14 attorneys on "the GAL project" as a Guardian Ad Litem in difficult cases. This proposal would create one or two fellowships that would have a graduating law student funded by the county via the existing GAL project funds to do GAL work post-graduation for two years under the supervision of an existing GAL project attorney. Requiring no extra funding and providing graduates with the desirable opportunity to work closely with the judiciary on interesting children's justice issues are key factors that should make this fellowship idea a successful reality.

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Recent Grants Proposals Written and Received

Public Interest Legal Services Fund Grant, *Wisconsin Trust Account Foundation*, 2007, 2008 & 2009, Funding for Community Justice Incorporated.

Pro Bono Trust Fund Grant, *Dane County Bar Association*, 2004-2009, Funding for Community Justice Incorporated.

Selected Litigation

Health Care Power of Attorneys and the Administration of Psychotropic Medications

Under current law the administration of psychotropic medication requires consent, but in many situations the person who would benefit from the medication is incapacitated and unable to give consent, so Chapter 51 processes must be followed. In a series of cases in 2008 and 2009, I served as counsel for the individual alleged to be in need of psychotropic medication, and that individual had a valid, active Health Care Power of Attorney in which they set forth their wishes regarding advance directives and health care decisions. However, the healthcare providers and the county attorneys insisted on dragging the person, their agent, and their family through an expensive and undignified chapter 51 case. We prevailed in these cases by arguing that the individual's wishes expressed in their HCPOA should be respected. Unfortunately, the county withdrew their appeal in these cases, so similar unnecessary litigation continues. Recently introduced legislation (AB 526) will hopefully resolve this issue.

Wisconsin Habeas Action, Juneau County Case No. 08-CV-101

An inmate was being wrongfully held in prison without any valid legal basis due to an error in calculating his sentence. The Department of Corrections refused to acknowledge their error, and insisted on vigorously contesting the habeas case. I drafted a habeas petition, briefed the issue and presented oral arguments, after which the court ordered the inmate's immediate release.

Unpaid Wage Action, Dane County Case No. 08-SC-13023

In the summer of 2008 a pregnant women working as a secretary received excuses, but no pay for over six weeks of work. Clinical students under my supervision negotiated, litigated, fought efforts to reopen, and eventually responded to a meritless appeal by the woman's employer who has spent thousands of dollars and hundreds of hours in a relentless effort to refuse his former employee pay for her work. The case is ongoing.

Professional Associations

- ◆ Admitted to Practice before the Wisconsin Supreme Court, and US District Courts for the Eastern and Western Districts of Wisconsin
- ◆ American Bar Association, & Section on Litigation member
- ◆ Clinical Legal Education Association member
- ◆ Dane County Bar Association member
- ◆ Wisconsin State Bar member
 - 2009-2010 Chair of the Public Interest Law Section of the Wisconsin State Bar
 - Past Chair of Public Interest Law Section Continuing Legal Education Committee