4-27-1992

Letter to Timothy Coggins regarding Wes Daniels, April 27, 1992

Lennye Wellins

Right click to open a feedback form in a new tab to let us know how this document benefits you.

Follow this and additional works at: https://uknowledge.uky.edu/seaall_cor
Part of the Law Librarianship Commons

Repository Citation
https://uknowledge.uky.edu/seaall_cor/392

This Correspondence is brought to you for free and open access by the SEAALL Archive at UKnowledge. It has been accepted for inclusion in Correspondence by an authorized administrator of UKnowledge. For more information, please contact UKnowledge@lsv.uky.edu.
This transmission consists of 9 pages (Including Cover Sheet).
Date: 4/27/92 Time: 12:40 PM

TO:
Name: Tim Coggins
Department: U.N.C. Carolina / Law Library
Fax #: 919-962-1193

From:
Name: Lenny Wells
Department: Law Library
Fax #: (305) 284-3554

Comments:
April 27, 1992

Timothy Coggins  
University of North Carolina  
Chapel Hill, North Carolina 27599

Dear Tim:

Here is a list of Wes Daniel's awards and accomplishments.

AWARDS:
Dade County Bar Association Volunteer Lawyer, 1991

CONTRIBUTIONS:
Board of Directors and Executive Committee: Miami Coalition for the Homeless

Co-Director of a program for "Law and the Homeless" - this program produced a publication at the University of Miami, "HOMELESS LEGAL ADVOCATES' MANUAL", which was distributed to the poverty law programs and Law School libraries throughout the country.

Instrumental in getting classes in Poverty Law and Homelessness taught at the University of Miami Law School after a 10 year hiatus.

Advisor for Public Interest Law Group. (students)

The Homeless Pro Bono Project, jointly with Legal Services of Greater Miami and the Dade County Bar Association. (provides free legal service to homeless persons)

VOLUNTEERS AT:
Camillus House Concern  
Beckham Hall  
Miami Rescue Mission  
Miami Womens and Childrens Shelter  
The New Life Family Center

Member of ACLU Legal Panel Homeless Committee (Contributed substantially with research)

Published: University of Miami Law Review on the Homeless- Symposium issue.
LEGAL PERSPECTIVES

Casualties of War: Eviction of Public Housing Tenants for Alleged Criminal Activity

by Wes Davidst
Professor of Law

On the morning of April 27, 1990, Charlotte and her family, long-time residents of their public housing apartment on a Detroit, Michigan, housing project, were evicted by being served with eviction papers. The women of the family were sent away while the men, including the father, were allowed to stay in the apartment. The evicted tenants, who had lived in the same apartment for over 20 years, were left with nowhere to go.

In an attempt to stop public housing projects from being disrupted, the federal government has in recent years deployed an aggressive, multifaceted strategy designed to combat this problem. In the last few years, drug activity on public housing properties has been criminalized, what is more, in the eyes of many residents, it has been criminalized in the process.

The Case of the Disappearing Civilian Protection

Until recently, the courts and the law enforcement community have been fighting a losing battle in the war against public housing tenants. The principal department of Housing and Urban Development (HUD) began its task to identify public housing authorities (PHAs) to prioritize and combat the problem of drug activity on public housing properties. HUD identified the same administrative procedures for the public housing properties as had been applied to the U.S. Supreme Court in finding a right to redress their violation, with a new emphasis on the need to redress the violation.

One of the most controversial areas of the federal government's efforts was the Drug-Free Public Housing Act. The act required PHAs to implement drug-free policies that could require tenants to be removed if they were found to be in violation. In the case of Charlotte and her family, the PHA in Detroit, which had been operating a drug-free program, decided to remove the family from their apartment.

Charlotte's case was not an isolated one. The Drug-Free Public Housing Act has been used to remove hundreds of other tenants from their homes, often without due process. The act has been criticized for its broad scope and for the way it has been implemented.

Conclusion

Although it is both legal and feasible for PHAs to evict those whose criminal activity interferes with the government's property interest on public housing, it is not always in the best interest of the community to do so. In many cases, evictions are used as a way to force out tenants who are unable to pay rent, or who are in violation of the lease agreement.

Despite the controversies surrounding the Drug-Free Public Housing Act and the removal of tenants, the government continues to prioritize the problem of drug activity on public housing properties. The act has been used to remove hundreds of tenants from their homes, often without due process.

Continued on Next Page

3. See Velez v. Arizona Avenue Authority, 351 F.3d. 706 (9th Cir. 2003).
Continued from Previous Page

lawyers to go around. Many of the eviction actions, then, go unreported. It is
probably the case that in which a tenant has no access to lawyer's services
that the eviction process is an important factor. In this less formal setting,
where the tenant can more effectively represent himself or herself by a
law student, is paralleled at a more knowledgeable fellow tenant,
outcomes are more likely to be successful.

Evidence by Institute

Unquestioned by the availability of strengthened eviction proceedings,
which provide a minimum required court hearings and delays, Secretary
Kennedy in 1969 launched the National Public Housing Asset
Protection Program. The purpose of this program is to the federal civil
furniture state's 'permits federal assistance in small urban living in an
apartment or house supported of being in a situation to file a federal
diploma without any warning or prior hearing at which the tenant can
address the charges before he is removed from the premises.

In the New Yorkata the beginning of this article, a
tenant migration issue in an as part matter order on the basis of a legal
policing allstate describing two drug offenses by tenancy violations in an
apartment one from "a visit" and the other from an "unlawful entry."15

The latter is in to be against the eviction process entirely and
exist tenants summarily. As specifically protective as many court eviction
proceedings may be, they in large part rely on the ability to allow tenants to
prepare a defense or weaken another position to the opportunity to continue
secure housing, to the extent the right to peace depends on public housing on
motions of unconstitutional activities, the requirement of a decision on the
merits before removal (excluding the right of economic or political deprivation
at the heart of the "right to a decent home for all people") is available to
accomplish an apartment without any mitigation of involvement in

event the usually conservative American Bar Association had

strongly condemned the program, criticizing not only the civil liberties
violations it permits but particularly the attempt by the HUG secretary
to prevent tenants in these cases from being provided representation by legal
services attorneys. Courts have been quick to place any process limits on
the implementation of this program, requiring any procedures that at the
same time can appear reasonable in an uncertain circumstance, which
may virtually never exist in the hearing context but applied to a situation in
which a mobile object like a car or boat can be moved, concealed or
destroyed.

Although it appears unlikely that the Fortepiano Project will be
allowed to flourish in its ill-intended scope, the attempt demonstrates the
capacity to which the federal government has been willing to go in promoting
in favor of the war is thought to be at a minimum.

Alternatives

Since 1969, it has been a Congressional policy to look to realize "as
soon as feasible" the goal of "a decent home and suitable living, environment
for every American family," 6 The recent efforts of the national
administration described above in many respects directly contradicted that
goal.

There are, of course, some effective alternatives in these methods of
"clearing up" public housing, and some are being largely attempted by
HUG and FPHA.

In these projects, tenants' organizations are assuming greater
management responsibility. Compliance and cooperation increase as tenants
have a stake in the success of programs they themselves have derived.
Successful vacates, physical situations, and tenant involvement with
regularly can provide an environment in which drug trafficking is
discouraged. Also, providing are programs focused on drug treatment and
prevention, employment and job training, and educational and vocational
schools for young people.

Lawyers, as citizens, should support these constructive alternatives.

Brother, Can You Spare a Service Point?

by Richard Berrn
Photo Editor

As my second year of law school draws to a close, I can honestly say that
there have been challenges. Who am I without my friends? Why do they call it Commercial Law if there are no
commercial transactions? But the way in which I was approached to
literally found me in a position that I have now comprehended to my
quarter century on this planet.

Point is, for reasons of service points per se, I realize that in the "selection process," the board needs some objective benchmark in
discipline situations. I take offense at the number in which they are handed out.

I think that there is a large communication gap between the
life of the student body and the board. Our job is to represent the
teenager the way we are to represent the student body. The board is in need of
people to watch or judge or even clean out their washbasin. True or false?
the opportunity to work is supposed to be open to everyone, or, as in the
case of judges, qualified second students or third undergraduate?

Now we are the person supposed to be distributed fairly if no one knows
that we are here. I say good luck to those who have a friend on the
board, and it has not worked out for them to have a friend on the
board. If you have a pee in a certain fest of what has told us to him if you judge we
prize should in a sense cull when you don't even know that person and
admire. How do you manage that? I asked, "O.K., so what really did
you think?" I don't know how to state things.

I am sure that this is wrong. Not only is the sure-point
system creating a "in the rate" mentality, it also clearly leaves those who know
the right info. Students will sometimes prevent being surveyed widely because of
the narrative of getting a lot up on other board members, rather than for the
provide intellectual stimulation from learning about Much More or helping
with More Info.

I must, however, confide that I too have been approached by people
who want to talk about helping the board not just myself but also
encouraging the same. One day on the club, a portion I knew was in the
board asked me if I was applying for the board. I said maybe and asked him why.
He then asked me if I'd like to judge a practice round with him. I told
you, but he has told me that because I know the judge, I would have done it
that there were no points to be gained. Another time, our Judge rang
and it was another board member asking for my nomination. When I told her that
he wasn't to, she asked it like I would like to be a winner in a State Mock Trial
Practice round. I thought: it was only for a second before I realized.
I did not want to be a winner, and I sure didn't think that it was right to
be anything in that manner.

What I'm trying to say is that there is a better way of looking
people know that people are available. I know what you're saying. "Hey,
Barron, why don't you just stop up to the More Court Board Office and ask
whether they have what's available?" Well, you're right. I could do that, but not everybody
there is completely aware of where people are needed. And why should
I have to make the trek up to the fourth floor of the library when the board has
a breakwater by the barred? The only thing I've seen used for far is to inform
us of his the more mock laws within it. In the past few months. Between a
league or past a few of the competitions or maybe a list of positions that
need to be filled. In a point of opinion, we have a position on the board when
that member goes up to a person on the floor and grabs them by the arm and
says, "You have to willingness for me?"

The board won't help, it ought to find a way to distribute their
incentives in a more equitable fashion. As this year draws to a close and a
non-ervice board that year, I sincerely believe that both can be remedied in time.
The way things are now, service points are
inconsistent and a port-ineligible relationship is a privileged few, with the
rest at disadvantage in academic legal programs.

The University of Miami School of Law
Page 15
April 19, 1970

[919 362 1133: # 4]

CLAS
28 757
U of M Law Library
4-28-92 11:32
Legal research on the cutting edge

by WES DAMEK
PROFESSOR OF LAW LIBRARIANSHIP

The stacks are becoming increasingly important as a source of research, and for many students, the stacks are the first place they look for information. This is especially true for those who are new to legal research, as the stacks can provide a wealth of resources that are not available in online databases.

In the Stacks

The stacks are a vital part of the law library, providing access to primary sources such as statutes, codes, and regulations. The stacks are also home to a variety of secondary sources, including legal treatises, journal articles, and casebooks.

In addition to providing access to legal resources, the stacks offer a unique research experience. The physical layout of the stacks allows researchers to browse and discover resources that they might not have found through online searches.

Some keys to successful legal research include:
- Understanding the structure of the stacks
- Knowing how to read call numbers
- Being familiar with the contents of different areas of the stacks

By leveraging the resources available in the stacks, legal researchers can gain a deeper understanding of legal issues and develop more effective research strategies.

Legal research on the cutting edge

4. Sources:

- Books
- Journals
- Online databases

5. Conclusion:

In conclusion, the stacks are an invaluable resource for legal researchers. By learning how to navigate the stacks and understand the resources available, researchers can develop more effective research strategies and gain a deeper understanding of legal issues.

Endnotes:


LAW AND THE HOMELESS: THE SYMPOSIUM

Wanda Officers
Law Librarian

This year, the University of Miami Law Review will devote its annual symposium issue to law and the homeless. In conjunction with that issue, a series of twenty-three symposium addresses on the subject will be featured in the issue in the form of a series of public lectures, each addressing a specific aspect of the problems faced by the homeless. The symposium addresses will be delivered on the University of Miami Law School's campus on March 23 and 24, and the symposium addresses will be presented in the form of a series of public lectures, each addressing a specific aspect of the problems faced by the homeless.

Dean Day's welcoming remarks on Friday evening referred to the address as "one of the most important symposiums the Law School has ever sponsored." The keynote address was delivered by Dr. Peter J. D'Eugen, a nationally recognized expert on the medical problems of the homeless, and an experienced physician of the University of Miami School of Medicine. The Medical Model has become the focus of this symposium, through a combination of medical and social services. The Medical Model has become the focus of this symposium, through a combination of medical and social services.

Dr. D'Eugen opened the symposium with a lecture on the medical problems of the homeless, as a result of the Medical Model. He presented the Medical Model as an alternative to the current approach to the medical care of the homeless. The Medical Model is based on the principle that it is necessary to address the medical problems of the homeless in a comprehensive manner, rather than treating each problem in isolation. This approach is designed to improve the overall health and well-being of the homeless population.

The Medical Model is a comprehensive approach to the medical care of the homeless, addressing both the medical and social needs of the homeless. This approach is designed to improve the overall health and well-being of the homeless population. The Medical Model emphasizes the importance of addressing the social determinants of health, such as poverty, discrimination, and lack of access to health care, in addition to the medical needs of the homeless. The Medical Model is a comprehensive approach to the medical care of the homeless, addressing both the medical and social needs of the homeless.

The Medical Model is designed to improve the overall health and well-being of the homeless population. This approach is designed to improve the overall health and well-being of the homeless population. The Medical Model emphasizes the importance of addressing the social determinants of health, such as poverty, discrimination, and lack of access to health care, in addition to the medical needs of the homeless. The Medical Model is a comprehensive approach to the medical care of the homeless, addressing both the medical and social needs of the homeless.

The Medical Model is designed to improve the overall health and well-being of the homeless population. This approach is designed to improve the overall health and well-being of the homeless population. The Medical Model emphasizes the importance of addressing the social determinants of health, such as poverty, discrimination, and lack of access to health care, in addition to the medical needs of the homeless. The Medical Model is a comprehensive approach to the medical care of the homeless, addressing both the medical and social needs of the homeless.

The Medical Model is designed to improve the overall health and well-being of the homeless population. This approach is designed to improve the overall health and well-being of the homeless population. The Medical Model emphasizes the importance of addressing the social determinants of health, such as poverty, discrimination, and lack of access to health care, in addition to the medical needs of the homeless. The Medical Model is a comprehensive approach to the medical care of the homeless, addressing both the medical and social needs of the homeless.

The Medical Model is designed to improve the overall health and well-being of the homeless population. This approach is designed to improve the overall health and well-being of the homeless population. The Medical Model emphasizes the importance of addressing the social determinants of health, such as poverty, discrimination, and lack of access to health care, in addition to the medical needs of the homeless. The Medical Model is a comprehensive approach to the medical care of the homeless, addressing both the medical and social needs of the homeless.

The Medical Model is designed to improve the overall health and well-being of the homeless population. This approach is designed to improve the overall health and well-being of the homeless population. The Medical Model emphasizes the importance of addressing the social determinants of health, such as poverty, discrimination, and lack of access to health care, in addition to the medical needs of the homeless. The Medical Model is a comprehensive approach to the medical care of the homeless, addressing both the medical and social needs of the homeless.
Law and the Homeless

by Andrea Vogelstein

October 8, 1992

Some homeowners have recently been faced with the problem of a neighbor becoming homeless. This has been a difficult situation for many, as it can cause considerable stress and anxiety. The following article discusses some of the legal implications and provides guidance for those who may find themselves in this position.

The legal issues that arise in the context of a homeless neighbor can be complex and vary depending on the specific circumstances. It is important to consult with an attorney or seek advice from a legal aid organization to navigate these challenges effectively.

Several key points to consider include:

1. Privacy rights: Homeowners have certain privacy rights that must be respected by their neighbors. However, if a neighbor's actions are causing substantial disturbance or posing a safety concern, the homeowner may have grounds to seek legal action.

2. Landlord-tenant law: In cases where the homeless neighbor is a tenant, landlords must comply with the applicable tenant-landlord laws. Violations of these laws can lead to legal consequences and may require the landlord to take action.

3. Eviction procedures: If the tenant is causing unacceptable behavior, the landlord may need to follow the proper eviction procedures outlined in local laws. This can be a complex process and should be handled with care.

4. Stalking laws: If a neighbor is engaging in stalking behavior, the homeowner may need to seek legal protection to ensure their safety.

5. Homeless housing options: For those who are homeless and wish to resolve the situation, there may be legal resources available to assist in finding appropriate housing.

In conclusion, it is crucial for homeowners to understand their legal rights and responsibilities in situations involving homeless neighbors. Consulting with a lawyer or seeking assistance from legal aid organizations can provide guidance on how to effectively address these challenges.

Wes Daniels: A Dedicated Teacher

by Andrea Vogelstein

Wes Daniels was a dedicated teacher who always went above and beyond for his students. He was known for his passion for teaching and his commitment to helping his students achieve their full potential. His dedication to education and his ability to inspire his students made him a beloved figure among his colleagues and students alike. Daniels was a true role model for anyone involved in the field of education. 

In summary, Wes Daniels was a truly exceptional teacher who made a significant impact on the lives of many students. His legacy will continue to inspire future generations of educators and students.

Lawyer's Note

If you have any questions or need further assistance, please feel free to contact me at the Miami Law Office.
Law students get experience working with homeless

When Wes Daniels first began thinking about offering a seminar on law and the Homeless, his greatest fear was that no one would sign up.

But his fears proved groundless when 15 students enrolled last spring, and the administration and students later urged him to offer it again the next semester.

Daniels, the law school's librarian, had been interested for some time in providing a course in the area of poverty law—an area where most law schools are lacking. "I chose homelessness because it's such an urgent social problem," he says. "Homelessness is one extreme area of poverty in which there are many difficult issues. It's an area I wanted to develop an interest in and wanted the students to develop an interest in. We're learning a lot of it together."

During the course of the semester students are introduced to some of the basic legal needs of homeless people and the sources of law for dealing with those needs. And in a city like Miami where the number of homeless people is overwhelming, the students don't need to read books to learn about life in the streets. They learn quickly by working on real-life cases with Legal Services of Greater Miami, the Legal Aid Society, or the volunteer lawyer's program of the Dade County Bar Association.

"The lawyers are thrilled to have the students work with them," says Gale Lucy, a recent graduate who is co-teaching the workshop with Daniels. "All of these programs have funding problems so they can never hire a staff for all of their needs."

Students deal with a variety of issues from housing, to family law, to immigration. Virginia Bradford plans to do some of this pro bono work. That's definitely what fourth-year student Virginia Bradford plans to do when she finds a job in the legal field. While attending law school in the evenings, the former teacher has been working in the Dade County Public School AIDS Information and Education Office. She plans to use her background and experience to help the homeless—particularly in women's and children's issues.

"I'm so pleased that the University is committing people and resources to this kind of work, which is so needed in this area," says Bradford, who is taking the homeless workshop this semester. "It's so refreshing being out of the classroom and to be able to work in the field—to be able to give someone legal help."
By LOURDES FERNANDEZ
Staff Writer

Homeless kids' numbers and needs on rise

The estimates of homeless school-age children in the United States vary widely — from 220,000 to 800,000, Herr said. About 67,000 of those are not receiving any type of education, according to numbers from the U.S. Department of Education.

In South Florida, one-fourth of the 27,000 homeless are children, according to a study done by Barry University.

For the parents — in many cases, single mothers — there are so many barriers that children often are never enrolled in school. Children may not have their birth certificates or immunization records, both of which are needed to enroll. They move so often that changing schools becomes difficult, and when there are school records, they often don’t catch up with the children.

Once in school, homeless children usually need special education programs, since many have fallen behind, said law student Camilla Cochrane, who wrote a paper for the Miami Law Review on educating homeless children. Many times, they don’t get additional tutoring or help.

"There is a paradox," Cochrane said. "The condition of homelessness makes it difficult, if not impossible, for children to attend or benefit from school. But no other institution can help as much in breaking the cycle of homelessness.”

Law student Michael Diehl said the homeless, especially those with mental illnesses, face another problem: receiving disability pay from the government. It is not always easy for them to prove they are mentally ill, and some tend to hide their illnesses.

"If you are schizophrenic or have a mental illness, how are you going to bring about documentation?" Diehl said. His recommendation: that the criteria used by the government be changed, so a person only need prove that he has been diagnosed with a mental illness at some time.

The symposium was the first of its kind in Miami, said organizer Wes Daniels, a law professor at the University of Miami.

"It's an urgent social problem," said Daniels, who teaches a course on the subject. "We're trying to encourage law students to get involved in social issues, rather than making the most money they can when they graduate from law school.”

Lawyers, said professor Herr, "have the task of making visible the invisible people. The simple act of providing legal services makes a person feel worthy. It can be a turning point in a person's life.”