

HUMAN RIGHTS AND STATE LAW: NEW STRATEGIES FOR ECONOMIC JUSTICE ADVOCACY

COLUMBIA LAW SCHOOL HUMAN RIGHTS INSTITUTE
CONTINUING LEGAL EDUCATION PROGRAM

APRIL 17, 2009 • 8:30 A.M. – 5:00 P.M.

SKADDEN ARPS • FOUR TIMES SQUARE, NEW YORK • 37TH FLOOR, ROOMS ABCD

CO-SPONSORED BY:

COLUMBIA LAW SCHOOL, HUMAN RIGHTS INSTITUTE
NORTHEASTERN LAW SCHOOL, PROGRAM ON HUMAN RIGHTS IN THE GLOBAL ECONOMY
NATIONAL ECONOMIC AND SOCIAL RIGHTS INITIATIVE
ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, SOCIAL WELFARE COMMITTEE
THE AMERICAN SOCIETY OF INTERNATIONAL LAW

This training will explore the use of transnational standards in developing state law jurisprudence to protect economic and social rights such as health and housing, as well as non-litigation human rights legal strategies in advocating for economic justice. Lawyers who practice in state court and/or engage in non-litigation economic justice advocacy efforts at the state and local level will benefit from attendance. Under New York State CLE regulations, this transitional and non-transitional program will provide in aggregate a maximum of 7.5 credit hours, of which 6.5 credit hours can be applied toward the Areas of Professional Practice requirement and 1.0 toward the Ethics requirement.

AGENDA

8:30 – 9:00 A.M.

REGISTRATION AND COFFEE SERVICE

9:00 – 9:15 A.M.

WELCOME & INTRODUCTORY REMARKS

- Risa E. Kaufman
Lecturer-in-Law & Executive Director, Human Rights Institute, Columbia Law School
- Sarah H. Cleveland
*Louis Henkin Professor of Human and Constitutional Rights & Faculty Co-Director,
Human Rights Institute, Columbia Law School*

9:15 – 10:30 a.m.
SESSION I

“WHY HUMAN RIGHTS?”

*CLE: 1.5 credits,
Areas of Professional Practice*

This panel will explore reasons why social justice lawyers should consider using human rights standards to advocate for economic and social rights in state law. Panelists will address the relevance of human rights standards in interpreting state constitutional provisions and statutes and in developing state common law. The panel will also address the relationship between international and foreign law and state/municipal law and ways in which lawyers can incorporate human rights standards into their legal analysis by drawing on international and foreign law for interpretive purposes.

- Martha F. Davis
*Professor of Law & Director, Program on Human Rights & the Global Economy,
Northeastern University School of Law*
- Judith Resnik
Arthur Liman Professor of Law, Yale Law School
- Florence Wagman Roisman
William F. Harvey Professor of Law, Indiana University School of Law
- Scott Rosenberg
*Director of Litigation, Civil Appeals & Law Reform Unit, Legal Aid Society, &
Adjunct Professor of Law, Brooklyn Law School*

Moderator:

- Peter J. Rosenblum
*Lieff, Cabraser Clinical Professor in Human Rights &
Faculty Co-Director, Human Rights Institute, Columbia Law School*

10:30 – 10:45 A.M.

BREAK

**10:45 A.M. – 12:00 P.M.
SESSION II**

**“USING ECONOMIC AND SOCIAL RIGHTS AS A
FRAMEWORK FOR ECONOMIC JUSTICE ADVOCACY”**

*CLE: 1.5 credits,
Areas of Professional Practice*

Panelists will address the government’s affirmative obligations to promote and protect economic and social rights and the human rights treaties addressing economic and social rights. The panel will also address issues of justiciability and enforcement of economic and social rights, and will explore these issues in comparative contexts.

- Catherine Albisa
Executive Director, National Economic and Social Rights Initiative (NESRI)
- Helen Hershkoff
Anne and Joel Ehrenkrantz Professor of Law & Co-Director, Arthur Garfield Hays Civil Liberties Program, New York University School of Law
- Lucy A. Williams
Professor of Law, Northeastern University School of Law
- Sarah H. Cleveland
*Louis Henkin Professor of Human and Constitutional Rights & Faculty Co-Director,
Human Rights Institute, Columbia Law School*

Moderator:

- Catherine Powell
*Associate Professor of Law & Director, International Law and the Constitution Initiative,
Leitner Center on International Law and Justice, Fordham Law School*

12:00 – 12:30 P.M.

BREAK FOR LUNCH

**12:30 – 1:20 P.M.
KEYNOTE ADDRESS**

**"THE ROLE OF COURTS IN THE PROTECTION
OF SOCIO-ECONOMIC RIGHTS: LESSONS FROM
SOUTH AFRICA, NEW YORK, AND INDIA"**

*CLE: 1 credit,
Areas of Professional Practice*

- Sandile Ngcobo
Justice, The Constitutional Court of South Africa

Introduction by:

- Catherine Albisa
Executive Director, National Economic and Social Rights Initiative (NESRI)

1:20 – 1:30 P.M.

BREAK

**1:30 – 2:45 P.M.
SESSION III**

**“INCORPORATING NON-LITIGATION HUMAN
RIGHTS STRATEGIES INTO STATE AND LOCAL
CAMPAIGNS FOR ECONOMIC JUSTICE”**

*CLE: 1.5 credits,
Areas of Professional Practice*

This panel will explore the use of non-litigation human rights legal strategies in advocating for economic justice at the state and local level. Panelists will explore legislative and other policy advocacy, organizing, education and training.

- Robert Perry
Legislative Director, New York Civil Liberties Union
- Juhu Thukral
Director of Law and Advocacy, The Opportunity Agenda

- Meetali Jain
Practitioner in Residence, American University Washington College of Law

Moderator:

- Caroline Bettinger-López
Lecturer-in-Law and Clinical Staff Attorney, Human Rights Clinic & Deputy Director, Human Rights Institute, Columbia Law School

2:45 – 3:00 P.M.

BREAK

**3:00 – 3:50 P.M.
SESSION IV**

“EMERGING HUMAN RIGHTS STRATEGIES IN ECONOMIC JUSTICE AND STATE-LEVEL ADVOCACY”

CLE: .5 credit, Areas of Professional Practice and .5 credit, Ethics

Panelists will share their experiences and strategies in developing a human rights framework to advance work advocating for housing, healthcare, and public benefits.

- Eric Tars
Human Rights Attorney/Children & Youth Attorney, National Law Center on Homelessness & Poverty
- Marianne Engelman Lado
General Counsel to New York Lawyers for the Public Interest & General Counsel, National Campaign to Restore Civil Rights
- J. Peter Sabonis
Acting Chief Counsel, Maryland Legal Aid Bureau, Inc.

Moderator:

- Risa E. Kaufman
Lecturer-in-Law & Executive Director, Human Rights Institute, Columbia Law School

3:50 – 4:00 P.M.

BREAK

**4:00 – 4:50 P.M.
SESSION V**

“INTRODUCTION TO INTERNATIONAL AND FOREIGN LEGAL RESEARCH”

CLE: .5 credit, Areas of Professional Practice and .5 credit, Ethics

This session is designed to teach participants how to research international and foreign legal materials. The participants will learn effective research strategies to consult both electronic and print legal research sources, including foreign and international secondary sources, research guides, treaties, and on-line sources.

- Kyle Courtney
Electronic Services/Reference Librarian Northeastern University School of Law

4:50 – 5:00 P.M.

CLOSING COMMENTS

- Martha F. Davis
Professor of Law & Director, Program on Human Rights & the Global Economy, Northeastern University School of Law

CONTINUING LEGAL EDUCATION: *Columbia Law School has been certified by the New York State Continuing Legal Education (CLE) Board as an Accredited Provider of CLE programs. Under New York State CLE regulations, this transitional and non-transitional CLE program will provide in aggregate a maximum of 7.5 credit hours, of which 6.5 credit hours can be applied toward the Areas of Professional Practice requirement and 1.0 credit hour can be applied toward the Ethics requirement. Out-of-State Attorneys: Please be aware that individual attorneys may request accreditation from their particular states for a CLE program which they attended out-of-state and which was given by an Accredited Provider of that state. Each state has its own procedure and attorneys should check their state’s rules.*

Attorneys wishing to receive CLE credit must sign the program register both prior to and following their attending program sessions, and, on departure, will be asked to submit a completed Evaluation Form. CLE credit will be offered only to those attorneys completing entire sessions. Attorneys attending only part of a session are not eligible for partial credit for it. Attorneys arriving late to a session are welcome to attend the program but will not be eligible to CLE credit for that session. Similarly, attorneys leaving a session early are also ineligible for CLE credit for it.