



ST. THOMAS LAW NEWS

VOLUME 2, ISSUE 17 JANUARY 20, 2012

PROFESSOR BLUMBERG TO ARGUE BEFORE U.S. SUPREME COURT

The Supreme Court will decide whether a drug-sniffing police dog at the front door is the same as an unconstitutional search of a home. The case involves the use of a drug sniffing dog as a basis for getting a warrant to search a person's home. According to the *Miami Herald*, "Miami police used a police dog named Franky after they received an anonymous tip in 2006 that Joelis Jardines was growing marijuana inside his home. As police and federal drug enforcement officers surrounded the residence, Franky and two detectives approached the front door. Franky was "alerted" to the odor of marijuana and one of the detectives said he then smelled it, too. When no one answered the door, police used the information to get a warrant, found 179 marijuana plants and arrested Jardines as he ran out the back door."

The Florida Supreme Court held that search was an unconstitutional intrusion into the sanctity of a private residence. The State of Florida has appealed that determination to the United States Supreme Court.

The case, *Florida v. Jardines*, probably will be argued in April. Professor Howard Blumberg, who teaches St. Thomas Law's Appellate Litigation Externship and the Moot Court Class Component, and is the Moot Court Faculty Advisor, will be arguing on behalf of Mr. Jardines to uphold the Florida Supreme Court determination.

THIRTY LAW STUDENTS AND ONE IRS AGENT: LET THE *PRO BONO* FUN BEGIN

St. Thomas Law's Volunteer Income Tax Assistance program (VITA) will begin offering free income tax preparation services at no charge to low-and moderate-income households on January 21. Started in 1984, by Professor Mark J. Wolff, the St. Thomas Law-VITA program has been providing free tax return preparation and assistance to the communities of Miami Gardens, Miami Lakes, Opa Locka, Hialeah, and other areas in Miami-Dade County.

Last year, the St. Thomas Law-VITA site at St. Thomas assisted nearly 400 taxpayers resulting in almost \$500,000 in tax refunds to taxpayers in the local community. Over the past two weekends, thirty tax law student volunteer's trained with Internal Revenue Service (IRS) agent Jay Fanning to assist with what is shaping up to be the best year yet for the St. Thomas Law-VITA program here at St. Thomas. This year the St. Thomas Law-VITA Program has expanded both its location and services. The St. Thomas Law-VITA program will have volunteers stationed at the United States Coast Guard Office in the U.S. Southern Command (SouthCom) preparing military returns. In addition, the St. Thomas Law-VITA site will have volunteers who will prepare military returns here at the law school campus. Professor Wolff is currently working out the arrangements for these military income tax return preparation services with South Com.

"This year, with the continued support of Mr. Fanning, we doubled the number of volunteer tax return preparers who were trained and are poised to make an even bigger difference in the lives of the people we serve," said Joe Hunt, the St. Thomas Law-VITA Site Coordinator. "We fully expect 2012 to be our best year yet."

St Thomas Law-VITA volunteers will be at open for business in the St. Thomas University School of Law Library from 10:00 a.m. to 2:00 p.m. every Saturday beginning January 21, 2012, and will continue operations through April 1, 2012. Staff, students, and members of the Saint Thomas University community are welcome to have their tax returns prepared free by St Thomas Law-VITA.

SUSAN J. FERRELL INTERCULTURAL HUMAN RIGHTS MOOT COURT COMPETITION

The Graduate Program in Intercultural Human Rights and the International Moot Court Board of St. Thomas University School of Law host the *Seventh Susan J. Ferrell Intercultural Human Rights Moot Court Competition* next weekend, January 28 and 29, 2012. Teams from all over the world have competed. This year, teams come from as far away as the American University of Sharjah-United Arab Emirates.

The objective of the competition is to promote awareness of human rights law. This year's problem revolves around the trafficking in human beings, domestic servitude, and the forcible removal of organs as well as the brutal suppression of a democratic uprising by a dictatorial regime. The law school community is invited to witness what should prove to be an exciting competition.

JUSTICE AT THE DOOR: ENDING DOMESTIC SERVITUDE

St. Thomas University School of Law through its Graduate Program in Intercultural Human Rights' Human Trafficking Academy and its *Intercultural Human Rights Law Review* invites you to the 2012 symposium on human trafficking for domestic servitude. Through scholarly contributions, this free of charge program will discuss domestic servitude as the second largest type of forced labor cases in the United States. Designed to help attorneys, prosecutors, judges, social service providers, mental health services providers, healthcare workers, religious institutions, and the community at large, the program will include discussion of historical perspectives on domestic servitude, the intersection of protections of labor law *vis-à-vis* domestic worker rights, and the new International Labour Organization Convention Concerning Decent Work for Domestic Workers.

This event will take place on Friday, January 27, 2012, from 8:30 a.m. to 5:00 p.m. in the Moot Court Room. To register for the symposium or to get more information, please go to www.stu.edu/justiceatthedoor.

FACULTY ANNOUNCEMENTS

Associate Professor Katharine **Van Tassel** was appointed to the Executive Committees of the Law, Medicine, and Healthcare Section and the Law and Mental Disability Section of the American Association of Law Schools. She was also appointed as the Vice Chair of the Food and Drug Law Section of the American Bar Association.

Professor Alfredo **Garcia** will be a signatory to an amicus Supreme Court brief; in the case of Southern Union Company v. United States, dealing with the issue of whether the 5th and 6th Amendment principles the Supreme Court established in the case of *Apprendi v. New Jersey* and its progeny apply to the imposition of criminal fines.

Professor Marc-Tizoc **González** was elected to the Executive Committee of the Association of American Law Schools - Poverty Law Section, and invited to chair a new section committee on "Access to Justice" (tentative title), which will survey the community engagement efforts of Section members, in order to develop a map depicting where Section members and their students engage diverse local community organizations, and to catalyze the development of further community justice praxis. It is anticipated that this committee will collaborate with the Society of American Law Teachers - Access to Justice Committee.

Professor **González** also has accepted an invitation from the UC Irvine School of Law Asian Pacific American Law Students Association to present "Notes toward a California Filipino Legal History," at its March 16 symposium entitled, "Reigniting Community: Strengthening the APA Identity," the proceedings of which shall be published by the *UC Irvine Law Review*.