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# MOVEMENT LAWYERING: REBUILDING COMMUNITY POWER & DECENTERING LAW

by Sami Schramm, Naima Muminiy, Madison Sharp, Angela Altieri, Thea Cabrera Montejo

On Thursday, February 16, 2023, the Human Rights Brief held its annual symposium entitled *Movement Lawyering: Rebuilding Community Power and Decentering Law*. It was organized by Angela Altieri, Madison Sharp, Naima Muminiy, Sami Schramm, Destiny Staten, Angel Gardner, Leila Hamouie, Fabian Kopp, Marnie Leonard, and Thea Cabrera Montejo. Together, the team curated a day full of empowering keynotes, inspiring panels, and an insightful workshop. The team also created a resource to document the event.<sup>1</sup>

To kick off the event, Thea Cabrera Montejo, the Symposium Editor, recited the introduction for the event's "resilient, inspiring, and compassionate" keynote speaker, Professor Iman Freeman. Destiny Staten, a fellow editorial board member with the *Human Rights Brief*, wrote the introduction. Professor Freeman is the Baltimore Action Legal Team's ("BALT") co-founder and Executive Director. She has seven years' experience as an attorney and serves on the advisory board for Law for Black Lives, a national network of over 3,500 radical lawyers committed to building a

responsive legal infrastructure for movement organizations and cultivating a community of legal advocates trained in movement lawyering. During her speech, Professor Freeman began with gratitude as well as an acknowledgement that "everything about my story says I'm not supposed to be standing here before you today." She then eloquently described her untraditional path to law school, how her life experiences equipped her on how to be a movement lawyer, and her intentional and strategic work with BALT — all while weaving in how America's war on drugs has impacted marginalized and particularly Black communities in Baltimore. She ended her speech by addressing the future attorneys in the room. She displayed a slide with Charles Hamilton Houston's words: "a lawyer's either a social engineer or he's a parasite on society." She urged us all to check our power, our privilege, and ourselves as we move forward in our careers. She called on both law students and legal institutions to be more critical of the law, to contextualize the fight for justice within and beyond the classroom, and to examine how to work in marginalized communities to balance how the law should work versus how it actually is implemented.

## I. Panel 1: Power to the People: What is Movement Lawyering?

In panel 1 we asked the question: What is Movement Lawyering? First, we grounded this conversation and discuss movement lawyering as a theory — in contrast to other more popular theories of change. This panel featured Professor Carlton Williams from Cornell Law School, Professor Charles Ross from Washington College of Law's Community Economic and Equity Clinic, and Director Paromita Shah from Just Futures Law.

Professor Carlton Williams has practiced criminal and civil rights law in Massachusetts for many years. Mr. Williams is an advocate on issues of war, immigrant rights, LGBTQ rights, and Black and Palestinian liberation. He is a member of the National Lawyers Guild and has served as the chair of its Massachusetts board of directors. In 2015, he served on the working group that organized the inaugural Law for Black Lives convening and was a featured speaker in its RadTalks event.

<sup>1</sup> Movement Lawyering: Rebuilding Community Power & Decentering Law, HUM. RTS. BRIEF (Feb. 16, 2023), [https://www.canva.com/design/DAFVnpeWE7Y/cRr58Qe\\_nzXJkDscz7a\\_8g/view?utm\\_content=DAFVnpeWE7Y&utm\\_campaign=design-share&utm\\_medium=link&utm\\_source=viewer](https://www.canva.com/design/DAFVnpeWE7Y/cRr58Qe_nzXJkDscz7a_8g/view?utm_content=DAFVnpeWE7Y&utm_campaign=design-share&utm_medium=link&utm_source=viewer).

Charles Ross is the Practitioner-in-Residence in the Community Economic and Equity Development Clinic, a clinic representing businesses, workers' cooperatives, housing cooperatives, and nonprofit organizations in the District of Columbia and Maryland. Professor Ross' areas of expertise and scholarly interests include housing law, child welfare law, and small business law. Prior to joining WCL, Professor Ross practiced in Los Angeles, California as a Public Counsel and in the District of Columbia at Children's Law Center.

Paromita Shah is the founding Executive Director of Just Futures Law, a movement lawyering organization that has provided cutting-edge legal support to the grassroots groups and organizers fighting for a future beyond deportation and criminalization since 2019. She previously served as the Associate Director of the National Immigration Project of the National Lawyers Guild, as the Detention Project Director at Capital Area Immigrants' Rights Coalition in Washington DC, and as a staff attorney at Greater Boston Legal Services.

Through the expertise and personal experience of our distinguished panelists, we fleshed out the contours of what movement lawyering means to practitioners who actively partner with grassroots movements and communities. An overarching theme of this panel was attorneys using the law as a tool to affect social change and to serve alongside the communities they care about. The panelists emphasized to serve first, to understand the needs of the community, before advocating for legal recourse. One example of service that resonated with symposium attendees was Professor Williams' story about how he attended town hall meetings and stacked chairs at the back of the church or mosque the community was meeting in while observing the community-led movements.

Each panelist elaborated on how movement lawyering can be intersectional between their areas of practice and the community they chose to partner with. Director Shah, Professor Williams, and Professor Ross' work is inherently more movement lawyering focused because it specifically partners with certain communities seeking social change. However, the panelists said that for example a tax attorney can engage in additional

pro bono work with a community and/or partner with grassroots groups who may want their tax law expertise. Essentially, movement lawyering is not restricted to any one field of law.

During the audience Q&A, there was a particularly moving moment where the panelists encouraged a student who was disheartened when she observed people being unfairly evicted from their homes during a protest the student was monitoring with the National Lawyers Guild. The panelists chimed in to suggest that even if change does not happen today there is still hope that your actions will propel change for tomorrow. They advised her to keep partnering with and supporting the communities she cared about because social change does not happen immediately, but it does gain traction over time.

#### *A. Power Mapping Workshop*

After the first panel, the symposium conducted a power mapping workshop led by Elyssa Feder, the Executive Director of Rising Organizers. Elyssa has spent over a decade working as an organizer and a trainer with organizations like EMILY's List and Priorities USA. Since co-founding Rising Organizers in 2016, the organization trained over 3,000 individuals and held ten intensive community organizing fellowships. Elyssa herself has trained over 10,000 activists, political operatives, and candidates in the pursuit of social justice and civic engagement. Her expertise was evident through the success of the power mapping workshop.

Elyssa provided essential background so everyone was able to work with the same knowledge before launching into an engaging activity. Elyssa defined key terms that are often used in the organizing space like "mobilizing," "activism," "lobbying," and "direct service." In doing so, she also explained how people choose to organize and use tools like mobilizing and lobbying. Most importantly, Elyssa discussed how power plays a significant role in the success and downfall of movements.

In explaining what power mapping is and how she has used it successfully Elyssa broke down the steps of the process and explained what strategies were useful. She started by distinguishing who can be the targets

of an organizing campaign and split these targets into primary and secondary targets. Elyssa then separated the key players into four sectors: “powerful opposed,” “powerful supportive,” “less powerful opposed,” and “less powerful supportive.” Each player can be placed on the sliding scale based on their ability to effect change and how supportive they are of the campaign. She offered an example where she was recently successful in using power mapping to enact tangible change which made the tool more accessible.

Each table then created their own power maps on campaigns varying from housing justice to diversity in the Bachelor franchise. Attendees walked away with a tangible skill that can be used in any organizing space. Furthermore, learning this skill from an organizer rather than a lawyer embodied the notion of decentering the law in community spaces which gave a realistic example of how working with organizers may look.

### **Panel 2: Reimagining Our Role**

Panel two, the final panel of this year’s symposium, focused on “Reimagining Our Role.” This panel served as a call to action for the next generation of lawyers by reflecting on what we have learned about movement lawyering throughout the course of the symposium. Additionally, the panel discussed how we, as future lawyers, can further mobilize by taking direction from organizers and impacted communities. These distinguished panelists who guided us in reimagining our role were Tamar Dekanosidze, Professor Julian Hill, and Maggie Ellinger-Locke.

Tamar is a human rights lawyer from Georgia and the Eurasia Regional Representative at Equality Now. She leads the efforts addressing violence and discrimination against women and girls in Georgia and other countries of the former Soviet Union. With over ten years of experience in human rights litigation, she has also litigated cases at the national level, the European Court of Human Rights, and the UN Convention on the Elimination of All Forms of Discrimination Against Women Committee. Tamar’s extensive work within local and international human rights provided incredible insight on how to mobilize movement lawyering in the international legal arena.

Julian Hill is an assistant professor and the founding director of the forthcoming Community Development and Entrepreneurship Law Clinic at Georgia State University College of Law. The Clinic has supervised the Capacity Building practice at Takeroot Justice, a New York City-based non-profit, where it regularly advised worker cooperatives and partnered with community-based organizations to co-facilitate political education and co-develop policies and campaigns in English and Spanish. Professor Hill also has done extensive work regarding solidarity economy.

Maggie Ellinger-Locke is a movement lawyer and longtime activist and organizer. She has lent support to several movement moments, including Occupy, Ferguson, Trump’s Inauguration, Unite the Right in Charlottesville, and Justice for George Floyd. Her work has supported activists at every level of organizing, including criminal representation, civil appeals, pre-action briefings, coordinating legal observers, policy advocacy, and more. Currently, Maggie works as an environmental justice staff attorney at Howard Law School’s Thurgood Marshall Civil Rights Center.

The questions asked during panel two can be broken down into two categories: movement lawyering within the law school community and movement lawyering as a practicing attorney. The first category of questions revolved around how, as current law students, can we create the space for movement lawyering within the law school community and the importance of it. Our panelists emphasized the importance of carving out time to work with local communities to hear their voices and put marginalized voices at the forefront of advocacy. Additionally, the panelists encouraged students to recognize our privilege as law students and to not fall into the mindset of a “savior complex” when partnering with communities and supporting other movement lawyers.

The second category questions focused on what movement lawyering looks like as a practicing attorney. Our panelists noted that an attorney can be a movement lawyer without being explicitly labeled as a movement lawyer. Panelist Tamar Dekanosidze emphasized how she was only introduced to the concept of movement lawyering recently, but her work in the intersectional

sector would be considered movement lawyering.

Panelists also emphasized self-care. The panel engaged in holistic discussion on the importance of self-care when practicing movement lawyering, especially when working in a field that is client facing and which could be heavy in subject matter. Afterward there was a profound reflection from the lawyers of panel two by sharing moments of pride that they felt throughout the course of their careers. By ending this panel with an inspirational note, law students could envision what reimagining their roles as potential future movement lawyers could look like and learn the importance of community and people power.