

Judge David S. Nelson Fellowship Newsletter 2011

2011 Nelson Fellows

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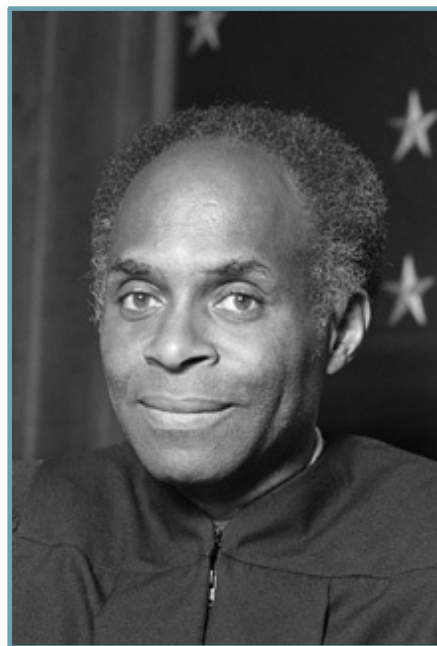
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Picardy Lamour



Photo courtesy of Gerald Howland



The Moakley Federal
Massachusetts District
Court

*“Justice is but Truth in
Action”*

-Louis Brandeis

Enki Gjerci is a rising senior from Boston Latin Academy and is assigned to Chief Judge Wolf and Judge Young's offices.



Yes We Can

We were all waiting anxiously as the clock struck one. Characterized by the giggles of the Nelson Fellows and the solemn reactions of the Lindsay Fellows, the atmosphere was filled with excitement. After what seemed to be a long minute of waiting, Governor Deval Patrick finally walked in the room. Before the meeting started, the Nelson and the Lindsay Fellows went around and introduced themselves. The Governor was lucky to know both Judge Nelson and Judge Lindsay. He met Judge Nelson in Law School in Trial Advocacy. Just as every other person who has met Judge Nelson, the Governor stated that the Judge was a strong advocate for justice. The Governor and Judge Lindsay were former law partners and similar to Judge Nelson, Judge Lindsay was not only very successful, but he was also kind, respectable and esteemed.

Although the Governor's position is distinguished as prestigious, his transition to getting there was atypical. When the Governor was entering Harvard University, he was the first in his family to go to college. He still remembers his grandmother reaction of excitement to his college acceptance when he described her lack of regard for the prestige of Harvard. The reputation of the college was not as significant to her as the education that he would receive. The Governor expressed that he had a "wonderful experience at Harvard" and he valued all of his mentors and professors. Right after college, Governor Patrick obtained a fellowship to travel in Africa for a year. During this year the governor wanted to "decide who I was and be that all the time." He was on a mission to find himself because he firmly believes that once you truly know yourself you "have the integrity to move comfortable from place to place."

The Governor gained confidence in his desire to peruse law. In fact, while in Africa he decided to take just one application for one law school with him. He had to write out the application by hand on top of a big pile of sand. He entrusted the mailing of his application to law school to a friend who was traveling to London. Although it seems like an impossible attempt, his leap of faith paid off and he was accepted to Harvard Law School.

The governor was asked whether he believes he has made an impact in the world? His answer was nothing short of inspiring. "Each one of us has an opportunity to make a lasting impact on others, just with a little kindness." Sometimes it is the small things that can truly make an impact and significantly change someone's life. He gave an account of his teacher in the sixth grade who was an inspiration to every student despite having a large class size of 40 students. She was able to still teach them how to count, say the greetings in German and she took them to the opera. These simple acts made all her students imagine what it was like to live in a broader world. That is one lesson the governor has held throughout his whole life.

Lastly, the Governor encouraged ambition. He provided the motivational words that will always inspire us to power through our obstacles. The Governor's humble character came to light when he addressed that being the first minority Governor in Massachusetts is not significant unless there is a second. He made it clear that we are the future and we have to embrace the legacy of those before us like that of both Judge Nelson and Judge Lindsay.

The meeting was closed with a personal picture of each of us with the governor. A picture that will hang on our walls for years to come, a picture that is another reminder of that sunny afternoon where the Governor made us believe that "Yes We Can!"



Dario Hernandez is a rising freshman at Boston College and is assigned to Judge Zobel's office.



The Truth of Justice

In this conference room fit all of my skepticism and assumptions about the presentation we were about to receive from the police commissioner, Ed Davis. I had grown to believe that the interest of police lay in a large pension and in amusement using their authority to do as they pleased. From stories of police brutality and personal experiences where a police cruiser would slow down to stare me down and then speed off in a defiant show of his false authority, I was not a big fan of the blue soldiers of the city.

As the commissioner sat on the leather chair at the head of the table, I prepared myself for the presentation. We heard his story describing his transition from a police officer to the chief of the department in Lowell. It was there that his different approach on crime produced good results in the form of lower crime rates. This approach consisted of solving the cause of the crime instead of arresting groups of drug dealers every day. He gave an account of this approach when he described a bar in town known for its bar fights and its disruptive music. As a result of the disturbances, many community members constantly reported complaints to the police. Instead of simply arresting the same offenders every night, the police force analyzed the root of the issue and limited the amount of alcohol a person could drink to diminish the amount of bar fights. They also moved the music system to the back of the bar to rectify the disruptive music issue.

This different approach helped to shed light on a different image of the police that I had not seen before. I have a new sense of respect for them as they find different ways to communicate with the community. Generalizations tend to blind one from appreciating the hard work of many. A few bad policemen should not cloud the image of many more policemen who do care about their city and are willing to find new ways to solve the root of the problems that plague our city.

Annette Agvei is a rising senior at Worcester North High School and is assigned to Magistrate Judge Hillman's office.



Reach for the Stars

Despite living in the high crime, low income neighborhood of Dorchester Massachusetts, prosecution lawyer Migdalia Nalls was academically strong during her high school years at English High School. She received straight A's and was determined to attend a top university.

As she perceived the system as unjust, Migdalia expressed that growing up in a high crime neighborhood fostered her budding interest in the legal system.. She joined the mock trial her junior year of high school. She competed in state-wide mock trial competitions. Her determination ultimately led her to Boston College with a full ride. Her motivation ignited her dynamic work ethic, which permitted her to receive admission to Boston College Law School. Migdalia Nalls passed the bar exam with hard work, passion and dedication.

She is a successful prosecution lawyer in the Roxbury District Attorney's office. When meeting with the Nelson Fellows expressed the importance of prosecution law in contrast to defense law. It is a crucial in procuring potential turning points for individuals in the spectrum of having the ability to recommend an appropriate resolution. She exudes strength and inspiration for all the Nelson Fellows. Her overall message is to never lose hope. She always finds the silver lining in all situations. Despite environment and childhood, Ms. Nalls remains optimistic that all Nelson Fellows also have the ability to reach for the stars..



Nathanael Kelly is a rising freshman at the University of Massachusetts Dartmouth and is assigned to Judge Gorton's office.



Living a Legacy of Excellence and Service

Ranked in the top 20 national firms, *WilmerHale* leaves a global footprint in the Legal field. Boston Business Journal (BBJ) ranked WilmerHale in the top 10 "Businesses of the decade", along with the "Legal 500", which ranked WilmerHale as a leader in law across 3 different continents. Since WilmerHale entered into the legal field more than ninety years ago, its humble yet defined and powerful presence has permanently changed the way Law is practiced, and the access clients have to their lawyers.

WilmerHale's origins can be traced back to 1918 when four men, Richard Hale, Dudley Dorr, Frank Grinnell, Roger Swaim and John Maguire founded the partnership "Hale and Dorr." In 1919, Reginald Herber Smith joins Hale and Dorr, He also publishes "Justice and the Poor." This work focuses primarily on the evolution of modern legal aid in America, but more importantly sets the pace and standard of service by which future lawyers and attorneys abide. In 1925, Hale and Dorr generated its first million dollars. From then on out Hale and Dorr begin to make waves in the legal community. They represent the NAACP on more than one occasion, arguing in favor of racial equality, they also save the NAACP from damaging penalties that would have forced them to cease all operations. They are one of the first to include woman in the legal workplace in 1978. In 2009, The Hispanic Bar Association of DC choose WimerHale out of 58 firms nationwide, and awarded them with the "2009 Employer Diversity award", representing the most diversity in all positions of leadership throughout the firm.

In 2011, I was accepted into the Nelson Fellowship, and given the privilege to visit WilmerHale's prestigious downtown Boston firm. Even though I was in a luxurious 50+ story building in the middle of Downtown Boston, I felt a spirit of humility.

The spirit of the firm hasn't changed since its beginnings in 1918.

Now, WilmerHale represents leading companies such as Apple Technologies, Millennium Pharmaceuticals and The Boston Celtics.

It is astonishing to think that from humble "Hale and Dorr" almost 100 years ago, spawned a Global enterprise focused on the betterment of society as a whole. From the beginning, WilmerHale has sown the seeds of respect, equality, diversity, courage, class, honesty and professionalism. These "seeds" have sprouted and are now growing. The fruit of these seeds shows itself through the recognition WilmerHale has only begun to receive.

Spencer Powers is a rising senior at the Edward Kennedy Academy for Health Careers and is assigned to Chief Magistrate Judge Dein's office.



Carmen Ortiz: A Dream Conquered

Fourteen Nelson Fellows surrounded the elongated mahogany table in the U.S. Attorney's office overlooking the magnificent view of the harbor. Tension filled the air as the Nelson Fellows awaited the arrival of a high profile government official, who was appointed by President Obama. As she entered the room, this overall sentiment ceased when she shared her life story and provided valuable life principles.

Carmen Ortiz welcomed the Nelson fellows and described her role as U.S. Attorney as a representative of the United States whenever it's being sued or generally prosecuting Federal offenses. Carmen Ortiz has a history in the law, formally a Harvard Law professor and a 12 year prosecutor for the U.S. Attorney's office. She has been involved in law for a little over 30 years.

Appointed just a year and a half ago, U.S. Attorney Ortiz eagerly provided great advice about overcoming life's obstacles.

She explained that growing up in New York presented a series of barriers. However, she gained motivation to achieve her lifelong goal of obtaining a Jurist Doctorate degree. She recognized the influence that her parents had on her as they encouraged good study habits and order in her life. The most critical piece of advice from U.S. Attorney Ortiz's is to "Never give up" and "to keep going when all seems so lost or impossible." Carmen Ortiz embodies those principles; she passed them down to her daughters and to the Nelson Fellows. Those principles include "Doing the best, as best you could", "Make an impression", "Be a team player" and "Maintain relationships."

Although, the meeting with U.S. Attorney Ortiz was brief, the overall impression that she made allowed the Nelson fellows to be open with their personal experiences. Her message of perseverance intertwined with her story allowed the Nelson Fellows to relate to her as well as prompted a greater sense of interaction between a high official and eager high school students.

Magaly Rojas is a rising senior at Brockton High School and is assigned to Magistrate Judge Sorokin's office.



Mock Trial 2011

It was 10am on Friday August 12th 2011 and Courtroom 11 on the 5th floor of the Moakley Federal Courthouse was congested with judges' chambers, lawyers and the family and friends of the Nelson Fellows. They were all present to support the fellows in their Mock Trial. As prosecutors with the burden of proof to attest that Robert MacAffe was guilty of assault and battery, all the Fellows were scared, anxious, and all enthusiastic to show to the court their hard work.

These emotions of anxiety and excitement were not unfamiliar to the fellows. Six weeks prior they were in a similar courtroom waiting anxiously to be sworn in as Nelson Fellows. They were swelling with emotions and hope for what their summer would bring.

As the preparation for mock trial the fellows took a writing and speech class where they learned to find their own voice with writing and spoken word. They later took a Civil Rights course to learn how the words of others can change a nation. With these lessons in tow and the guidance of their mock trial coach Gerry Howland, the fellows grew into fine prosecutors. With the help of their teachers, chambers and speakers the fellows learned the in and outs of the court system first hand and they grasp the importance of working together as a group in order to obtain a greater good.

As the mock trial began with Judge Casper's guidance the Nelson were yes nervous but they were well prepared. As the thirteen jury members watched the fellows intently, the fellows were determined and ready to bring justice to the Commonwealth of Massachusetts! Every witness was incredible and each one had an interesting way of telling their story, whether it was getting emotional, getting serious, being funny or leading to different topics. The lawyers also did an impeccable job making sure their witness answered effectively, developing effective speeches and presenting with absolute confidence.

The 2011 Mock Trial was a great conclusion to the Nelson Fellowship program. It allowed the fellows to show those around them how they matured as individuals and to really put what they have learned to practice.

Lyxandra Perez is a rising senior at Boston Green Academy and is assigned to Judge Casper's office.



Caught in Between a Rock and a Hard Place

The Nelson Fellows faced the harsh reality of how the budget cuts have affected the Boston school system when they met with Dr. Carol R. Johnson, the Superintendent of Boston Public Schools. The Boston Public School budget was cut 63 million dollars this year, which means less funding for schools, less money to support teachers, and ultimately less resources to help

with the cuts the Superintendent had some tough decisions to make. This past year eighteen schools were closed or merged as an effort to counter the continuing budget cuts. The majority of the schools that faced closing or mergers were underperforming. Although this move will help lessen the burden of the 63 million dollar deficit, it has displaced a few hundred teachers and thousands of students from their current school assignments.

"Higher performing schools save money and kids in other schools were not making progress," replied the Superintendent Johnson said when asked, "What was the thought behind closing certain schools?" She also explained that Boston Public Schools have too many empty seats, which is costing the city millions. It is believed that the merger and closings will save the city over \$30 million dollars.

For students the disappointment lies in the rapid decision that greatly changed their lives. With this effort to shut down schools they felt that their voices were not properly heard. Rachelle Pierre is current Nelson Fellow and a former student of Social Justice Academy within the High Park Education Complex, a school that has been closed as a result of Johnson's proposal. When Pierre, a senior now at Fenway High School, asked the superintendent about the this move and lack of student input when making such a change, Superintendent Johnson replied, "Although the input of the students could and should have been better considered, there was an urgent need for this decision." This decision was not hers alone and was unanimously supported by the members of the school committee.

With this meeting it was easy to see that our education system is flawed. Although we have many parties –the superintendent, the school committee, the governor- trying to fix the problem, without the proper funding and resourcing someone has to feel the loss and it is usually the students. As a result students feel unheard and are truly left behind.



Stephanie Delma is a rising senior at Brockton High School and is assigned to Judge Stearn's office.



Knowledge is Power

"Your highness/ Her majesty /History's backbone/Your equal," we repeated after Jamele Adams, our Writing and Speech teacher and Dean of Student Life at Brandies University. With these words we would start our last class with the message that we are all kings and queens. In two short weeks transforms us from students that would use "um" and "like" to students that spoke with confidence and truly owned our writing. With Jamele's help we learned how words could sway others and evoke emotion. We did this first by reading speeches written by inspirational people like Martin Luther King Jr. and Sojourner Truth. Through their speeches we learned that even in times of trouble we could be strong and express ourselves with confidence. We then transitioned into using our own words to express our sentiments. We were taught that when we spoke, all eyes were on us and at that moment it is our time to shine. It was our time to say what we mean and mean what we say.

Our Writing and Speech class prepared us well for our Civil Rights class with Jason Wise. Class was centered on the theme "Choices in Little Rock," which refers to the desegregation movement in Arkansas in the late 1950s and the courage of 9 black students who fought for equal education. With this event as our backbone we grappled with the meaning of identity and how the way others perceive you can affect how one portrays their own self. We also discussed the prejudices rooted in racism and how someone's misconceptions can lead to another's insecurities.

Both of these courses greatly impacted me as well as the other Nelson Fellows. As a result of these two classes I can now express myself with assurance without the fear of retribution. I have learned to listen and not be quick to judge others. I have learned to not let preconceived thoughts ruin my judgment. I am truly grateful for all the knowledge given to us this summer.

Rachelle Pierre is a rising senior at Fenway High School and is assigned to Judge Saris' office.



A Legacy Fulfilled

“You are the future of the world, because if I made it so can you,” said Jermaine Kidd the Labor Counsel for the Massachusetts Department of State Police. As a past Nelson Fellow, Kidd can relate to current Nelson Fellows. He grew up in the city of Boston, Dorchester –Four Corners. He went to Boston Latin School but his summers were spent in summer school because his report card was littered with C’s, D’s and a few F’s.

Kidd was found his potential as a Nelson Fellow and he grew as a leader gained the confidence to push his obstacles in his way to succeed. With the Nelson Fellowship finished, Jermaine Kidd entered his senior year with a new perspective. Although his past grades reflected that he probably would not do well, he did not let his past dictate him and he got straight A’s. His experience as a fellow gave him the push he needed to follow his dream. It showed him that college could be a possibility.

When asked what exactly changed, Kidd answered honestly, “I didn’t believe in myself and didn’t think I would be ever be accepted into a prestigious program as the Nelson Fellowship. So when I was accepted and saw support and confidence the judges had in me I took advantage of it.” He accepted that his failures but he remained optimist of his future endeavor to pursue college. This was a second chance to start new, and that was what Jermaine Kidd did.

Kidd went on to Morehouse College and then to Boston College Law. He is now the Labor Counsel for the Massachusetts Department of State Police, where handles legal issues involving offices. He also works with Departments of Human Resources to reviewing and revising policies regarding tattoos, military leave, employee assistance, and medical release forms. Kidd’s story is an inspiring one and it is a true example of how the support and encourage of others and oneself can catalyze a future.

Ian Reece is a rising senior at Charlestown and is assigned to Magistrate Judge Boal’s office.



Budding into Success

Commit yourself to success. Now repeat that a thousand times in your head and let it sink in because these words will take you far. This mantra comes from Wayne Budd, a senior counsel at Goodwin Proctor. As a successful black lawyer in one of Boston’s top law firms, Budd worked and continues to work hard to be the best in his field.

In an intimate meeting with the Nelson Fellows, Budd urged the fellows to always put their best foot forward because success is within everyone and you have to build your own positive brand. Just seconds after sitting down with the fellows, Budd said to them, “You are part of something special.” An individual who had the opportunity to interact with Judge David S. Nelson, Budd understands the legacy that each fellow carries.

Like Judge Nelson, Wayne Budd’s career consists of proving those around him wrong. In his meeting with the fellows, Budd gives an account of one his law school professors who told him that he did not have what it takes to be a lawyer and he was simply wasting his time. The lack of support did not dissuade Budd. Rather it gave him the will to fight even harder to achieve his goals.

“Everyone has a moment in their life when they get knocked down. Some stay on the floor and cry their pain away but there are a select few with the resiliency to get back up,” says Budd. The importance of resiliency was one of the themes he wanted the fellows to take from their meeting with him. “Resiliency does not necessarily meaning standing alone, everybody needs to turn to somebody for some help,” says Budd.

It took help, sacrifice and a lot of sweat and tears for Budd to reach his success. Even with all of the success Mr. Budd has had during the course of his life, he manages to stay humble. When asked, “Isn’t it nice to be a successful

person?" Budd responded by giving his definition of success: "A successful person is someone who has good health, a good supportive family, and surrounds himself good friends." He continues to explain that a successful person makes a positive contribution to the community and builds a positive brand or in other words has a good reputation. Lastly, he admits the material things, although not as important as the others, is a part of success.

Wayne Budd ended the meeting by saying, "You have to dedicate your life to excellence in everything you do in life you job your school work. I'm not suggesting that you don't have to work hard but the result to that hard work is a great reward." After hearing him speak, it is not hard to understand why Wayne Budd is successful.

Mary Oloukun is a rising senior at Worcester South High School and is assigned to Magistrate Judge Hillman's office.



Doris Fitzpatrick: Against All Odds

As part of the Nelson Fellowship Program, fourteen students from Boston, Worcester and Brockton were given the opportunity this summer to meet with many officers, attorneys, and judges that shape the Massachusetts law and judicial system. Hearing the diverse life stories of the many speakers, encouraged and inspired the Nelson Fellows to seize the many opportunities the fellowship has to offer. Doris Fitzpatrick, a past Nelson Fellow and current probation officer, was one of these speakers. Through her story, Fitzpatrick taught the fellows the importance of fighting for one's dreams.

As a student in high school, Fitzpatrick had to face many obstacles and because she was struggling to face these barriers before her, she was not considered a candidate for success by many. As a result of these personal hardships, she was forced to attend four different high schools, transferring from one neighborhood to the next. This constant sporadic change in her education never permitted Fitzpatrick to have a stable foundation, thus she fell

through the cracks of the school system. Never being in a school for long did not allow Fitzpatrick to leave an impression and if anything it marred her reputation.

As a Nelson Fellow, Fitzpatrick found the stable support system she needed. During her eight weeks as a fellow, she gained long lasting friendships and confidence through interacting with other students, judges and lawyers. Fitzpatrick also discovered her dream of becoming a probation officer and she ultimately got her first internship in the US Probation Office.

Leaving the fellowship, Fitzpatrick returned to a school environment where she was encouraged not to dream or aspire for more. Rather she was told to only strive for the things that were easily within her grasp. However, Fitzpatrick knew her potential and stood up for herself and demand the education she deserved. When one of her counselors encouraged her to forget any plans of applying to any accredited college and advised her to only apply to community colleges Fitzpatrick did not listen. She had determined in her heart and mind that she would not be limited by any circumstance.

Overcoming all odds, Doris Fitzpatrick went on to graduate from Suffolk University and attain the position of Probation Officer at the Probation office located in Boston. When asked "Why this job?" she simply stated, "Opportunity. I saw the opportunity, was given the opportunity, and I took the opportunity. You never know what opportunity may open up to you. Take the advantage!"

Doris Fitzpatrick's life is a story of a young woman who fought her way to success. She was determined and never gave up. But most importantly, she believed in herself even when no one else would. Against all odds, Doris is a successful woman.



Octavia Pidoux is a rising senior at Dorchester Academy and is assigned to Judge Tauro's office.



Nurturing Justice

There is always that someone that is willing to help us through it all. The justice system is notorious for its hard-core punishment and is rarely seen as a system that advocates for the rehabilitation of individuals who have been convicted of crimes. The Court Assisted Recovery Effort (CARE) is one of these programs.

Spearheaded by Magistrate Judge Sorokin, CARE aims to assist defendants serving terms of supervised release or probation with a history of substance abuse by giving them the resources to establish a sober, employed, law abiding life in an effort to promote public safety. CARE is a 52-week program that consists of four three-month phases. After one graduates the program, one year is reduced from the participant's supervised release.

With this program comes great success and reward but only with hard work from all the parties involved. Participants must pass drug tests and comply with all the judge's instructions and rules. When the rules are broken, sanctions are given such as jail time up to seven days, community service, and/or writing assignments.

Judge Sorokin does not brush anyone off when he is conducting his weekly meetings. His genuine concern and need to help better the lives of the participants of the CARE, is evident by the questions he asks, the sanctions and praises he gives.

Judge Sorokin admits he never wants to sanction the participants but he will if it is necessary. Participants are free to drop out when they please but they will not receive time off of their probation if they do not complete the program. CARE is only here to guide them down a better path of success and sobriety. As a result of many felons stigmatized stereotypes, very few people are willing to aid them transition into society. However, with Judge Sorokin's program, they gain a second chance.

Escarolyn Garcia is a rising junior at New Mission High School and is assigned to Judge O'Toole's office.



Fly like an Eagle

As the time rapidly goes by high school seniors are getting ready to make one of the biggest decision of their lives. College is right around the corner and students need to pick the path in which their future will lead. In the month of July the Nelson Fellows toured different colleges to get a clear and concise perspective on the different college environments and their academic programs. We visited a total of 6 colleges: Boston University, Boston College, Bowdoin University, Brandeis University, Amherst College and University of Massachusetts Amherst. Although every college was unique the one that caught my eye was Boston College. BC encompassed everything I wanted in a college. It had a communications program where I could pursue my dream of becoming a broadcaster. It also provided a unique campus feel but was just a train ride away from the city.

Though applying for colleges is really stressful, with the help of programs like Bottomline, I do not have to go through it alone. As a Nelson Fellow I was connected with Bottomline, which is a great program that helps students with the entire college process from the essay, to scholarships to financial aid. They even help you once you are accepted to make sure your transition to college is smooth. When the college process comes to an end, I hope to be flying with the eagles.





Photos courtesy of the Governor's Office

*May Judge David S. Nelson's legacy
be forever treasured.*

Nelson Fellowship 2011