



# PUBLIC TRUST

The Newsletter of the Federal Career Service Division of the Federal Bar Association

## Message From the FCSD Chair: Hail and Farewell

Robert J. DeSousa



This has been a phenomenal fiscal year for the Federal Career Service Division (FCSD). Our Division has sponsored numerous Continuing Legal Education events, renewed our Newsletter publishing with four information-filled issues, totally revitalized our web presence, increased overall

communication and participation of members, and put on Veteran-recognition events celebrating the service of one of our core constituencies. As my Farewell Note, I am honored to have participated, with a great team, in the revitalization of what is a central part of the Federal Bar Association. Federal lawyers, both civilian and military, are the seed upon which the Federal Bar Association was planted. We started 100 years ago in 1920 in Washington DC as a bar of solely federal employees and we have now grown into a national bar association with chapters in every state. Federal lawyers must continue

to be a key part of our Bar.

I say “Farewell” to you on the high ground. I say “Hail” to our incoming Chairman Past National President Mark Vincent, who has dedicated his career to federal service. Mark sits on the special FBA Public Service Task Force. He will lead the team forward next Federal Bar Association year. At the annual Convention in September, Federal Career Service Division members present will vote on the Deputy Chair position — the person who will succeed Mark. We have some great candidates! Mark will then put together a team of leaders to help move the Division forward. Our appointed leadership roles are: Treasurer, Vice Chair for Membership, Vice Chair for Chapter Contact, Vice Chair for CLE/Programing, Vice Chair for Communications, Vice Chair for Legislative Issues, and Vice Chair for Lawyers in Uniform. If you are interested in serving on any of our committees or being considered as a Vice Chair for one of our committees don’t hesitate to ask!!! The

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## PROFILES IN FEDERAL CAREER SERVICE

### Ms. Julia D. Zwak: Minnesota Chapter Young Attorney Dedicating Her Career to Public Interest



*Ms. Julia D. Zwak, is a Staff Attorney in the Housing Unit at Mid-Minnesota Legal Aid (MMLA) in Minneapolis, Minnesota. Julia clerked for the Hon. Donovan W. Frank of the U.S. District Court for the District of Minnesota. As a young lawyer and member of the FBA's Minnesota Chapter, she is passionate about*

*the law, public service, and the public interest. On a humorous note, Ms. Zwak also holds the distinction of "alphabetical placement" at the very end of our long roster of FCSD Members.*

#### **Please tell us about your current job.**

My work involves direct representation on behalf of low-income tenants residing in Hennepin County, Minnesota, the county with the most eviction filings in the state. Many of my clients live in Minneapolis, the state's largest city which is currently facing a significant shortage of affordable housing. MMLA seeks to ensure access to justice for clients who are at risk of homelessness or living in sub-standard conditions that threaten the health and safety of the families we serve. In my position, I spend much of my time defending tenants in state housing court eviction proceedings. Many of my clients live in federally-subsidized housing or use a Section 8 voucher to afford their monthly rent. My advocacy for these clients may also include representation in administrative agency hearings to attempt to preserve these important federal benefits. The Housing Unit at MMLA also represents clients in federal litigation when necessary to enforce clients' rights under the Fair Housing Act and other federal laws.

#### **Why did you choose to become a public interest attorney and dedicate your legal career in that direction? What advice do you have for young attorneys considering a career in public service or public interest?**

Serving others and contributing to the public good has always been a part of my life. From an early age, my family instilled in me the importance of Christian service and civic engagement, and these values have directly influenced my path toward a career as a public interest attorney. My specific interest in civil legal aid developed over time as I gained exposure to a variety of public interest legal careers. During college, for example, I participated in a few internships in the public sector that allowed me to see firsthand how issues such as generational poverty, untreated mental illness, and chemical dependency create barriers to justice for individuals struggling to make ends meet. I became determined to use my legal career to help advocate for such individuals who cannot otherwise advocate for themselves.

I would advise younger attorneys who are considering careers in public service to start exploring options early and be open to pursuing paths they may not have initially considered. I originally saw myself becoming a criminal prosecutor and had not even considered a career in civil legal aid until after completing some exploratory internships that helped me refine my interests and passions. There are so many ways to use a legal career to serve the public good, so I would advise young attorneys to be open to possibilities they may never have thought of before.

#### **Tell us about your involvement with the FBA.**

I joined the FBA just prior to my clerkship with Judge Donovan Frank which began in August 2015. I became a member of the FCSD at that time. I have participated in a number of Minnesota Chapter

events, including several monthly luncheons featuring engaging speakers on federal law topics. The most valuable opportunity has been the FBA Minnesota Chapter's Annual Federal Practice Seminar, an all-day training and networking opportunity that features several excellent speakers, including multiple federal judges. I look forward to continuing my involvement in the FBA in my current role. As a legal aid attorney, I hope to contribute to the diversity of careers served by the FBA and in particular the FCSD.

**While a law student, you received the FBA Minnesota Chapter's prestigious Judge Edward J. Devitt Award. Please tell us about the Award and what it meant to you to be a recipient.**

The Judge Edward J. Devitt Award is conferred annually by the FBA's Minnesota Chapter to a student from the University of Minnesota Law School who exemplifies excellence in the study of federal law and practice. The award recognized my experience as a Judicial Extern for Judge Diana Murphy at the Eighth Circuit Court of Appeals and my publication in the Minnesota Law Review on IRS Regulation of 501(c)(3) tax-exempt entities, among other experiences. When I received the award in 2015, I also knew that I would be clerking in the U.S. District Court for the District of Minnesota following law school. It was a tremendous honor to receive this award, particularly since my career path had involved not only federal law matters but also a significant amount of state law practice in civil legal aid working on behalf of low-income clients and individuals with disabilities. Individuals living in poverty or with a disability frequently receive both state and federal benefits in some form. For such clients, the complex interplay between state and federal law creates a need for zealous and effective representation to ensure access to justice and equal justice under the law.

**When you first completed law school, you served as a law clerk to the Hon. Donovan W. Frank of the U.S. District Court for the District of Minnesota. I've read about Judge Frank's commitment to diversity and to people with developmental disabilities. Please tell us about your clerkship.**

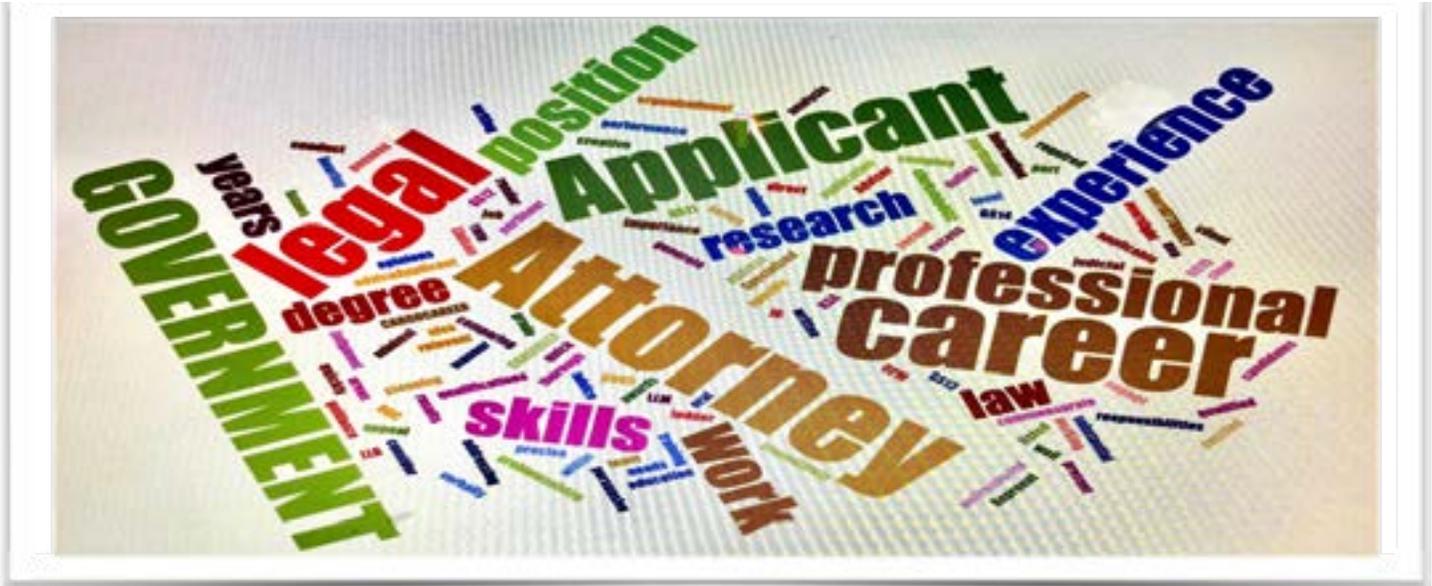
Shortly after I began my clerkship, Judge Frank issued an order approving Minnesota's Olmstead Plan, a comprehensive plan involving numerous state agencies which aims to ensure that individuals with

disabilities can live and work in the most integrated settings appropriate to their needs. The plan was developed by numerous stakeholders in Minnesota following Judge Frank's approval of a landmark class action settlement agreement resolving claims under the Americans with Disabilities Act. In a related effort, a non-profit organization launched an annual program known as the "Olmstead Academy," named in recognition of the landmark U.S. Supreme Court case of *Olmstead v. L.C.* as well as Minnesota's Olmstead Plan. During my clerkship, Judge Frank hosted groups of individuals with disabilities from across Minnesota at the federal courthouse in St. Paul to speak about their Olmstead Academy projects. Individuals with disabilities shared their stories of working alongside their peers as well as individuals without disabilities to enhance integration within their communities. Groups presented on a wide range of issue areas such as transportation, housing, and employment. It was truly inspiring. Judge Frank is known to frequently emphasize the importance of the words on the front of the U.S. Supreme Court Building - "Equal Justice Under Law." He cares deeply about ensuring that this promise means what it says for all people. It was rewarding to see how the individuals in the Olmstead Academy were empowered to speak up for themselves in the courtroom based in large part on Judge Frank's decision as well as his attitude of respect toward all people.

**What accomplishment are you proudest of as a young lawyer?**

As with most civil litigation, many eviction cases are dismissed or settled before reaching trial. Since I began my role as a Staff Attorney at MMLA in the fall of 2018, however, I have successfully litigated three eviction trials defending clients facing the loss of their housing. In all three cases, I argued complex facts and law to obtain favorable outcomes for my clients. Also in all three cases, I enabled clients to preserve their right to important federal benefits, including tenancy in Public Housing, Project-Based Section 8, and a Section 8 voucher. I am proud of achieving this record of success early in my career and knowing that I enabled my clients to stay in their homes. Even more important than pride in my own abilities, however, I was grateful to be able to offer each of my clients a sense of hope and dignity in the midst of significant personal crises. The fast pace of eviction litigation, the

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## FEDERAL ATTORNEY CAREER COLUMN: Special Programs for Recent Law School Graduates

Ellen M. Lazarus

FCSD members include law students, judicial clerks, and recent law school graduates. This column focuses on two types of special federal government attorney recruitment programs of interest to these members — Honors Programs sponsored by individual agencies, and the Pathways Program administered by OPM.

### ATTORNEY HONORS PROGRAMS

Third-year law students (3Ls) and those completing judicial clerkships are often attracted to Agency Honors Programs. These programs are highly selective — often requiring graduation in the top 1/4 or 1/3 of the class, participation in law review or a journal, winning a moot court competition, or membership in the Order of the Coif. Some the most well-known Executive Branch Honors Attorneys Programs are sponsored by:

- [Department of Justice](#)
- [Central Intelligence Agency](#)
- [Environmental Protection Agency](#)
- [Federal Communications Commission](#)
- [Internal Revenue Service](#)
- [National Labor Relations Board](#)
- [Nuclear Regulatory Commission](#)
- [Securities and Exchange Commission](#)
- [Department of Homeland Security](#)
- [Department of Housing and Urban Development](#)

- [Department of Labor](#)
- [Department of State](#)
- [Department of Transportation](#)

Certain Legislative Branch agencies have analogous Honors-like programs for entry-level attorneys:

- Government Accountability Office (GAO) [Attorney Development Program](#)
- American Law Division of the Congressional Research Service, Library of Congress [Law Recruit Program](#)

Many agencies also offer law students summer or semester opportunities.

For a comprehensive list of Honors Programs, see the online version of [The Government Honors and Internship Handbook](#) (subscription required or password available from law schools).

### PATHWAYS PROGRAM

This OPM-administered Program has two paths of interest to 3Ls and recent law school graduates. Recent LL.M. graduates are also eligible.

- The [Presidential Management Fellows \(PMF\) Program](#) is the “flagship *two-year* leadership development program at the entry-level for advanced degree candidates.” It is intended to attract the best candidates and develop Fellows

for positions in the civil service. Eligible candidates include 3Ls and recent law school graduates who competed their degree within the past two (2) years. Many law schools require “nomination” by the Dean in addition to the candidate submitting an application during the application window. The Program has a strict timetable and a rigorous assessment process. Veterans’ preference applies to the selection process for the Pathways Programs. Finalists are pre-qualified at the GS-9 level and may be appointed at the GS-9, GS-11 or GS-12 level. PMFs participate in orientation and training programs (160 hours) and receive an Individual Development Plan. Fellows benefit from senior-level mentorship throughout the Program. One of the particular highlights is eligibility to participate in one to six-month rotational assignments in the employing agency or other agencies. After successful completion and job performance, PMFs are eligible for non-competitive conversion to term or permanent positions.

- The [Recent Graduate Program](#) offers a *one-year* Federal Government developmental experience for eligible students including recent law school graduates. Eligibility is based on having completed your law degree within the previous two (2) years.

Unlike the PMF Program, there is an extension of eligibility time for veterans unable to apply within that time frame due to military service obligation. Selected candidates are placed into a 1-year developmental program that includes orientation, training (40 hours), and mentorship opportunities. Appointments are typically made at the GS-9 level but candidates may be appointed at the GS-11 or GS-12 levels under certain circumstances. Upon successful completion of the Program, the Recent Graduate may be converted to a permanent or term-limited appointment.



*Ellen M. Lazarus (Past National President, 1993-94) is the FCSD Vice-Chair of Communications and Editor of Public Trust.*

## SAVE THE DATE



F E D E R A L B A R A S S O C I A T I O N

WASHINGTON, DC • MARCH 18-21, 2020

# Thanks to Our FY 2019 FCSD Officers



Robert J. DeSousa  
Chair



Mark K. Vincent  
Deputy Chair



Embry J. Kidd  
Treasurer



Steven Miller  
Vice Chair,  
Membership



Christian T. Haugsby  
Vice Chair, Chapter  
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Programming



Ellen M. Lazarus  
Vice Chair,  
Communications



Jana Patterson  
Vice Chair, Legislative  
Issues



Adam M. Hill  
Vice Chair, Lawyer in  
Uniform

## **FCSD WEBSITE**

The updated FCSD website includes links to the Division Newsletter, CLE Programs, past events, officers, calendar, DOJ attorney vacancies links, and Division Bylaws.

*Chair from page 1*

FCSD needs you! We especially need good volunteers to help with our chapter outreach, communications and newsletter, membership, and CLE committees.

Are you willing to spend a few hours a month to help your Division succeed? If so, I urge you to reach out to [Laura Mulhern](#). Laura is the Manager of Sections and Divisions, the FBA professional staff member who serves as FCSD's contact—let her know you are interested so that Mark can consider you.

Wishing my successor Mark Vincent and the FCSD much success in the FBA 2019-2020 year!



*Robert J. DeSousa, (Past National President, 2012-13), is Chair of the Federal Career Service Division.*

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variety of factual and legal problems that arise, and the positive collegiality among my many dedicated colleagues make my current position extremely rewarding and fulfilling. I could not imagine working in a job without the same level of direct client contact and advocacy that I am privileged to experience now. Call me idealistic, but I would actually love it if I could stay in this role for my entire career.

*\* Ellen M. Lazarus, Editor Public Trust, conducted this interview*

## MEMBER PROFILES

We are looking for FCSD members to be profiled in PUBLIC TRUST. This is a great way to share your wisdom with other FCSD members and inspire those just beginning their federal legal careers. If you are interested, contact [aalaghbari@fedbar.org](mailto:aalaghbari@fedbar.org).

Submit  
Your  
Work

## CALL FOR ARTICLES

PUBLIC TRUST is seeking articles about topics of interest to government attorneys. If you'd like to submit a proposal for publication in a subsequent issue, please email [aalaghbari@fedbar.org](mailto:aalaghbari@fedbar.org).

# Save the Date

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## Seminar: “Use of Third Party Neutral Techniques in the Context of Natural Resource Damage Cases and Other Applications”

**Date:** September 25, 2019

**Time:** 1:00 PM - 5:00 PM

**Venue:**

DC Bar Building  
901 4th Street NW  
Washington, DC 20001-2776

**CLE Credits:** 4 credit hours

**Contact:** Laura Mulhern, FBA Sections and Divisions Manager, ([lmulhern@fedbar.org](mailto:lmulhern@fedbar.org))

**Description:** The Industry/Trustee Standing Committee of the Ad-Hoc Industry Natural Resource Management Group (Group) in cooperation with the Federal Bar Association and the DC Bar will convene a multi-stakeholder seminar to discuss ways to use third party neutral approaches in a variety of environmental contexts including natural resource damage cases under CERCLA, Clean Water Act, Oil Pollution Act and analogous laws in over 40 States.

The Group is a focal point and a clearinghouse for communications between the industrial community and government departments and agencies on natural resource-related liability and related assessment and restoration issues and involves a cross section of representatives of industry, tribes, state and 5 federal government departments/agencies (Agriculture, Commerce/NOAA, Defense, Energy, Interior).

Faculty will take participants through the situations, along with specific case examples as available, which lend themselves to use of these techniques — mediation; arbitration; role reversal; and more — to bring parties together in identifying goals and process and in reaching settlement.

**Faculty:**

**David Batson** — Senior Allocator/Mediator, AlterEcho; Adjunct Professor, Georgetown Law Center; Former ADR Specialist with US. Environmental Protection Agency

**Barbara Goldsmith** — Executive Director, Ad-Hoc Industry Natural Resource Management Group

**Dana Goodson** — Senior Program Manager, US Institute for Environmental Conflict Resolution, Morris K. Udall and Stewart L. Udall Foundation

**William E. Hall, Ph.D.** — Director, US Department of Interior Office of Collaborative Action and Dispute Resolution (CADR)

**Sheila Slocum Hollis** — Partner, Duane Morris LLP

**Steven Miller** — Deputy Assistant General Counsel, Department of Energy

*Additional faculty may be added*

# 2019 FBA ANNUAL MEETING & CONVENTION

T A M P A

SEPTEMBER 5-7 • HILTON TAMPA DOWNTOWN



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