

**RUSSELL ENGLER**  
23 CARVILLE AVENUE  
LEXINGTON, MA 02421  
(781) 863-5133 (h)  
(617) 422-7380 (w)

**EDUCATION**

**Harvard Law School**, Cambridge, MA 02138 1980-1983  
June, 1983, Juris Doctor; Magna Cum Laude

**Yale College**, New Haven, CT 06520 1976-1979  
May, 1979, Bachelor of Arts; Phi Beta Kappa,  
Summa Cum Laude, Distinction in History

**TEACHING EXPERIENCE**

**New England Law | Boston** 1993-present  
Director of Clinical Programs (1993-present)  
Professor of Law (1998-present)  
Associate Professor of Law (1995-1998)  
Assistant Professor of Law (1993-1995)  
Administer clinical/externship programs & perform all required faculty duties  
Director, New England Law | Boston Clinical Law Office (in-house clinic);  
Teach Lawyering Process, Public Interest Law Seminar & Clinic Courses;  
Coordinator New England Clinicians' Conferences (1994-2015)

**Harvard Law School** 1999-2000  
Lecturer on Law--taught year-long course, Lawyering Process:  
Learning from Clinical Practice, to students earning clinical  
credit at Harvard Legal Aid Bureau and Harvard Defenders programs

**PAST LEGAL EXPERIENCE**

**Brooklyn Legal Services, Corporation B**, 105 Court St, Brooklyn, NY 11201 1984-1993  
Director, Housing Law Unit 1988-1993  
Staff Attorney, Housing Law Unit 1984-1988  
Supervision of 16 attorneys and 4 paralegals  
Responsibility for all aspects of unit's work, including legal and administrative supervision,  
development and execution of priorities and legal strategies, training of new advocates,  
community education and administration of grants  
Individual and group representation of tenants  
Extensive trial work, brief writing, motion practice and preparation of pleadings in Civil and  
Supreme Courts, including summary, plenary and Article 78 proceedings

Appellate brief writing and arguments at all appellate levels in state court  
 Complex litigation in federal and state court, involving issues of Anti-Displacement, Public Housing, Section 8, City-Owned Housing and Court Reform, including:  
Pleune v. Pierce, 765 F. Supp. 43 (E.D.N.Y. 1991)(Nickerson, J.)  
Williams v. New York City Housing Authority, 81 Civ. 1801 (S.D.N.Y.)(Ward, J.)  
McNeill v. New York City Housing Authority,  
 719 F. Supp. 233 (S.D.N.Y. 1989)(Walker, J.)  
Henderson v. New York City Housing Authority, 90 Civ. 4349 (E.D.N.Y.)(Weinstein, J.)  
Union of City Tenants v. Koch, 574 N.Y.S.2d 695, (N.Y. App.Div. 1st Dept. 1991)  
Met Council, Inc. v. Crosson, 595 N.Y.S.2d 680 (N.Y.A.D. 1 1993)  
Brooklyn Legal Services Corp. B v. Bellacosa, (N.Y. App.Div. 2nd Dept. 1987)  
Akpan v. Koch, 75 N.Y.2d 561, 555 N.Y.S.2d 16 (1990)  
Simmons v. Popolizio, 573 N.Y.S.2d 464 (Ct.App. 1991)

Legislative and administrative advocacy at federal, state and city levels,  
 including testimony at legislative hearings, submission of comments on  
 proposed rules and regulations and submission of proposed legislation  
 City-wide training on public housing issues for Legal Services for New York City

<b>Clerk, United States Circuit Judge Francis D. Murnaghan, Jr.,</b> United States Court of Appeals, Fourth Circuit	1983-1984
<b>Legal Services Center, Jamaica Plain, MA</b> Two-semester clinical program and summer job, including supervision of Law students	1982-1983
<b>McCutchen, Doyle, Brown &amp; Enerson, San Francisco, CA</b>	Summer 1982
<b>D'Ancona &amp; Pflaum, Chicago, IL</b>	Summer 1982
<b>Legal Assistance Foundation of Chicago, Chicago, IL (Welfare Project)</b>	Summer 1981

## **PUBLICATIONS**

### **A. Law Review Articles & Book Chapters**

*Chief Justice Gants and Access to Justice: A Case Study in Leadership, Compassion, Brilliance and Strategy*, 62 B.C.L.REV. \_\_\_\_ (2021)(Forthcoming)

*Access to Justice, Civil Right to Counsel, and the Role of the Judge*, 56 COURT REVIEW 10 (2020)

*When Does Representation Matter?* Book Chapter for Estreicher & Radice, ed., *Beyond Elite Law: Access to Civil Justice in American*, Cambridge University Press, 71-86 (2016)

*Limited Representation and Ethical Challenges*, Book Chapter for Estreicher & Radice, ed., *Beyond Elite Law: Access to Civil Justice America*, Cambridge University Press, 431-43 (2016)

*Access to Justice and the Role of the Private Practitioner*, 24 Kansas Journal of Law and Public Policy 554 (2015)(published as part of symposium issue for Access to Justice: Commemorating the 50th Anniversary of the Criminal Justice Act)

*Turner v. Rogers and the Essential Role of the Courts in Delivering Access to Justice*, 7 HLPR 31 (2013)

*Nonlawyer Forms of Assistance*, chapter appearing in Trebilcock, et al, ed, *Middle Income Access to Civil Justice Colloquium*, University of Toronto, University of Toronto Press, 145-172 (2012)

*Re-vision Quest: A Law School Guide to Designing Experiential Courses Involving Real Lawyering*, 56 NYLS L. Rev. 517 (2012), with Maranville, Lynch, Kay & Goldfarb

*The Toughest Nut: Handling Cases Pitting Unrepresented Litigants Against Represented Ones*, 62 NAT'L COUNS. JUV. & FAM. CT. JUDGES J. 10 (2011)

*Reflections on a Civil Right to Counsel and Drawing Lines: When Must Counsel Be Appointed, and When Might Access to Justice Mean Less Assistance?* 9 SEATTLE J. FOR SOC. JUST. 97(2011)

*Pursuing Access to Justice and Civil Right to Counsel in a Time of Economic Crisis*, 15 Roger Williams Law Review 472 (2010)

*Connecting Self-Representation to Civil Gideon: What Existing Data Reveal About When Counsel is Most Needed*, 37 FORDHAM URB. L. J.37 (2010)

*Approaching Ethical Issues Involving Unrepresented Litigants*, 43 Clearinghouse Review 377, (Nov-Dec, 2009)

*Ethics in Transition: Unrepresented Litigants and the Changing Judicial Role*, 22 NOTRE DAME J. LAW, ETHICS & PUB. POL'Y 367 (2008)

*Shaping a Context-Based Civil Gideon from the Dynamics of Social Change*, 15 TEMPLE POLITICAL & CIV. RIGHTS L. REV. 697 (2006)

*Towards a Context-Based Civil Gideon Through Access to Justice Initiatives*, 40 CLEARINGHOUSE REVIEW 196 (2006)

*From the Margins to the Core: Integrating Public Service Legal Work Into the Mainstream of Legal Education*, 40 NEW ENGLAND L. REV. 479 (2006)

*Normalcy After 9/11: Public Service as the Crisis Fades*, 31 FORDHAM URB. L. J. 983 (2004)

*From 10 to 20: A Guide to Utilizing the MacCrate Report Over the Next Decade*, 23 PACE L.REV. 519 (2003)

*The MacCrate Report Turns 10: Assessing Its Impact and Identifying Gaps We Should Seek to Narrow*, 8 CLIN.L.REV. 109 (2001)

*And Justice for All--Including the Unrepresented Poor: Revisiting the Roles of the Judges, Mediators and Clerks*, 67 FORDHAM L. REV. 1987 (1999)

*Out of Sight and Out of Line: The Need For Regulation Of Lawyers' Negotiations With Unrepresented Poor Persons*, 85 CAL. L. REV.79 (1997)

Marcuse, Rasmussen and Engler, *Off-site Displacement: How the changing economic tide of a neighborhood can drown out the poor*, Clearinghouse Review, April, 1989

## **B. Other Writings**

Co-Author, Amicus, MA Supreme Judicial Court, *In re Guardianship of VV*, 470 Mass. 590 (2015)

*Revising the Role of the Court-Connected Mediator To Achieve Fairness for Unrepresented Litigants*, NE-ACR NEWSLETTER, Vol. 11, No.1 (Winter 2005)

*What Counts As Pro Bono/Public Service? One View*, The AALS Pro Bono and Public Service Section Newsletter, Vol. 2, No.3 (2002)

*Integrating Public Service Legal Work Into Nonclinical Courses*, IX THE LAW TEACHER 13 (2001)

*And Justice for All--Including the Unrepresented Poor: Revisiting the Roles of the Judges, Mediators and Clerks*, [www.nolo.com/democracy\\_corner](http://www.nolo.com/democracy_corner)

Engler & Bloomgarden, *An Empirical Study of Boston's Housing Court and Recommendations for Reform* (1983)(on file with author and at HLS and available at <http://www.nesl.edu/clsr/projects/PSP/Engler%20&%20Bloomgarden.pdf>)

## **COMMITTEE MEMBERSHIPS**

MA Access to Justice Commission (Executive Committee 2015-present; co-chair Delivery of Legal Services, Criminal-Civil Crossover and Justice for All Implementation Committees)	2010-present
MA Justice For All Project, Management Team	2016-17
Statewide Taskforce to Expand Legal Aid in MA	2013-14
BBA Task Force on the Civil Right to Counsel Chair, Housing Subcommittee	2007-2012
National Coalition for a Civil Right to Counsel (Steering Committee)	2004-present
Self-Represented Litigants Network (Strategy & Outreach Committee)	2013-14
AALS Clinical Sections Nominations Commission (Chair 2007)	2005-07
NY County Lawyers Association, Task Force on Housing Court Reform	2006-07
MA State Planning Board for Civil Legal Services & Task Force on Reconfiguration of LSC-Funded Programs	2003-05
ABA Section on Dispute Resolution, Mediation & Access to Justice Committee	2002-04
Clinical Legal Education Association, Best Practices Project, Steering Committee	2002-07
AALS Standing Committee on Clinical Legal Education (Chair-2004)	2002-04
Boston Bar Association	1995-present

Massachusetts Bar Association, Access to Justice Section		1995-2010
Massachusetts Law Reform Advocacy Coordinating Committee	1	1996-1999
AALS, Section on Clinical Legal Education		1993-present
Clinical Legal Education Association		1993-present
Standing Committee on the Housing Court of the NYC Bar Association		1990-1992
Judicial Screening Committee of the Kings County Democratic Coalition		1988-1992
Housing Task Force of the Comptroller of the City of New York		1991-1992
Housing Task Force Legislative Committee, Legal Services for New York City		1989-1992

### **TRAININGS, PRESENTATIONS & SPEECHES**

Speaker, Opportunities & Challenges in Access to Justice: Lessons from the U.S. And Brazil; Civil Gideon panel, Boston College Law School		2018
Co-Presenter, AALS Conference on Clinical Legal Education, Baltimore		2016
Speaker, Beyond Elite Law: Access to Justice for Americans of Average Means New York University Law School		2016
Speaker, Kansas University School of Law- Access to Justice and the Role of the Private Practitioner, as part of symposium marking the 50 <sup>th</sup> anniversary of the Criminal Justice Act		2015
Speaker, Access to Justice and Civil Gideon, New England Law   Boston, panel sponsored by American Constitution Society and Public Interest Law Association		2015
Speaker, Access to Justice and the Right to Counsel in Context, DC Bar Section on Courts, Lawyers & the Administration of Justice		2014
Speaker, National Dialogue on Administrative Law, Canadian Institute for The Administration of Justice, Ottawa		2014
Speaker, Access to Justice and Civil Gideon, University of Connecticut Law School		2014
Speaker, Fordham Law School, Civil Gideon Symposium		2013
Speaker, Boston Bar Association Conference on Civil Gideon- Initial Speaker, before Keynote Speaker Chief Judge Lippmann		2013
Speaker, Law and Society Conference, Boston, "Studying Access to Justice Empirically"		2013
Speaker, Harvard Law School, Symposium, Towards a Civil Gideon: the Future of Legal Services.		2013
Speaker, Fordham Law School, Civil Gideon Symposium		
Organizer, Participant & Facilitator, Access to Civil Justice, Re-envisioning and Reinvigorating Research, Chicago, IL (funded by NSF)		2012
Speaker, Association of American Law Librarians, Annual Conference (Topic: <u>Turner v. Rogers</u> & Due Process)		2012
Speaker, <i>Judicial Ethics and Self-Represented Litigants</i> , "Best Practices in Managing Self-Represented Litigation," Flaschner Judicial Institute		2012
Speaker and discussion leader of Concurrent Session, AALS Clinic Workshop, <i>Imagine a Civil Gideon</i> , Seattle WA		2011
Speaker and facilitator, New England Clinicians' Conference, <i>Access to Justice and The Law School Role</i>		2011
Participants and panelist at Access to Justice Forum Initiative Roundtable,		

sponsored by Stanford, Harvard and the American Bar Foundation, Stanford Law School, Palo Alto CA	2011
Speaker, Middle Income Access to Civil Justice Colloquium, Panel, Nonlawyer Forms of Assistance, U. of Toronto Faculty of Law, Toronto ON	2011
Speaker, Association of Canadian Law Foundations Annual Meeting, How to Evaluate Self-Help Initiatives, Halifax NS	2010
Keynote Speaker, Philadelphia Bar Association Chancellor's Forum, "civil Gideon: Establishing a Right to Counsel"	2010
Speaker, Michigan's First Annual Justice Initiatives Summit, <i>Addressing the Needs of the Unrepresented</i> , Lansing MI	2010
Faculty/Speaker, Tri-State Judicial Conference, National Judicial Conference, (Training for judges from New Hampshire, Vermont, Maine)	
Keynote Speaker, MA Access to Justice Commission,	2010
Speaker, Civil Right to Counsel Symposium, Civil Legal Representation and Access to Justice: Breaking Point or Opportunity for Change? Seattle, WA	2010
Training on Judicial Ethics for NH Judiciary	2009
Speaker, DC Superior Court Judicial Conference, Judicial Ethics	2009
Presenter, presenter, ABA Litigation Symposium, Real People, Real Needs, Real Solutions—Access to Legal Representation in Civil Litigation, Atlanta Georgia	2008
Speaker, Roadmap to Justice Conference—East Coast	2008
Speaker/Trainer, Trainings for NY State Judges on Judicial Ethics	2008
Keynote Speaker, CLEO Access to Justice Think Tank Conference, Toronto ON	2008
Courthouse Centennial Access to Justice Symposia: Civil Gideon, Federal Courthouse, Providence Rhode Island	2008
AALS Annual Meeting, Joint Workshop with Conference of Chief Justices, Panel: Pressure Points in the Administration of Justice	2008
Training on Judicial Ethics for NH Judiciary	2007
AALS Poverty Law Section Panel in DC on Civil Gideon	2007
Civil Gideon Presentations (roughly 15 events)	2006-08
Ethics Trainings, New York City, Albany, MA & Vermont	2005-06
Sparer Symposium, Philadelphia, PA	2006
BBA Administrative of Justice Section Meeting, Unbundled Legal Services	2004
ABA Section on Dispute Resolution, "Insight for Inspired Practice" Conference	2003
WA State Access to Justice Conference, Civil Gideon Panel	2002
Legal Services Training Consortium of New England, "Ethical Considerations Arising in Implementing Pro Se Strategies"	2002
AALS Conference on Clinical Legal Education, (MacCrate Report)	2002
AALS Annual Meeting: 1) MacCrate Report 2) Self-Represented Litigants	2002
NY State Access to Justice Conference, "Self-Represented Litigants Are Here To Stay"	2001
"The Changing Face of Legal Practice: A National Conference on Unbundled Legal Services," Ethics and Professionalism Panel, MD	2000
MCLE, Ethical Issues for Legal Services Lawyers Training	2000
AALS Annual Meeting, Alternative Dispute Resolution Section	2000
NY State, Unified Court System, Judicial Training Seminar	1997
MA Trial Court, Judicial Institute Conference on Housing Court, Mediation Workshop	1997