

# 2014 Annual Report



## The Francis D. Murnaghan, Jr. Appellate Advocacy Fellowship



“I will always be grateful for the opportunity that the Fellowship provided me and the support that the Public Justice Center gave me during the past year.”

— Ilana Gelfman, 2013-2014 Murnaghan Fellow





Murnaghan Fellowship supporters gathered this spring in D.C. for a reception with Senator Bennet.

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## In Grateful Appreciation of our Supporters:

We thank our supporters who gave between 12/1/13 and 12/1/14.

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**The Francis D. Murnaghan, Jr.**

Appellate Advocacy Fellowship at the Public Justice Center

# Jeffrey E. McFadden

Chairman of the Board and  
President of the Fellowship



(L to R) Jean Zachariasiewicz,  
Jeffrey McFadden and Ilana Gelfman

Dear Friends,

As the end of another year fast approaches, we should pause to reflect with wonder over the Murnaghan Fellowship's past growth and achievements, with pride over the essential and important work our current Fellow undertakes at the Public Justice Center, and with renewed devotion and commitment to the future of the Fellowship and its mission.

We have as our guide and inspiration in all of these reflections no less than the life of Judge Murnaghan himself, a flourishing life lived in devotion to the rule of law and marked by an unwavering insistence that every person in this country, regardless of color, regardless of economic condition, regardless of any religious or social persuasion, was an unconditionally equal beneficiary of a constitutional framework and legal system that would ensure freedom in all of its forms, whether political, economic, social, or personal. Freedom from want and economic inequality, freedom from persecution, freedom from oppression, freedom from hatred and prejudice.

Through your efforts, commitment, and generosity, fourteen Murnaghan Fellows have left, and continue to leave, immeasurable footprints in the landscape of public justice. And whether in the halls of the Public Justice Center, the Department of Justice, the U.S. Supreme Court, the Office of the Maryland Attorney General, the legal academy, or the private practice of public interest law, our Fellows continue to do the great work of which Judge Murnaghan would most assuredly be proud.

For all that has been done, yet there is so much more to be done. We move ever closer to our endowment goal, and with your continued support and the support of others who share in the devotion and commitment to the Fellowship's vital mission, the future of the Fellowship, and the future of the vital role it plays in maintaining the scales of justice in equipoise, will be assured.

And for all of that, we will be forever grateful.

Sincerely yours,

Jeffrey E. McFadden  
Chairman and President



# Farewell Ilana Gelfman

## 2013-2014 Murnaghan Fellow

I had a tremendous experience in my year as the Murnaghan Fellow.

I filed two appellants' briefs, two amicus briefs, and one petition for writ of certiorari in the Maryland Court of Appeals; one appellant's brief and one amicus brief in the Maryland Court of Special Appeals; and two amicus briefs in the federal Court of Appeals for the Fourth Circuit. I also had the opportunity to argue a case in front of the Maryland Court of Appeals.

During my time as a fellow, I grew as a litigator and as an advocate for social justice. I am inspired every day by the dedicated and intelligent staff at the Public Justice Center. They maintain commitment for and excellence in their work year after year. They supervised and mentored me so that I could

improve my skills in legal writing, oral argument, and public interest advocacy. I will always be grateful for the opportunity that the Fellowship provided me and the support that the Public Justice Center gave me during the past year.

Upon ending my fellowship, I began a clerkship with Justice Breyer of the United States Supreme Court. I am confident that the skills that I learned as the Murnaghan Fellow will serve me well in that position. While I am uncertain about where I will end up after the clerkship, I am positive that I look forward to a lifetime as part of the Murnaghan Fellowship family.

—Ilana Gelfman

# Welcome Anna Jagelewski

## 2014-2015 Murnaghan Fellow

After graduating from law school, I clerked for Judge Florence Y. Pan of the District of Columbia Superior Court and for Judge Reggie B. Walton of the United States District Court for the District of Columbia. My journey here began after I finished college, when I started a position as the coordinator of a consumer-led community planning group charged with improving services in Appalachian Ohio for low-income individuals living with HIV/AIDS. There,

I witnessed firsthand the challenges that people living in poverty face on a daily basis, and became inspired to go to law school. I am excited and honored to have the opportunity to address the inequality and injustice I first saw then as the 2014–15 Murnaghan Fellow at the PJC. Following my year at the Public Justice Center, I will be clerking for Judge Andre Davis of the Fourth Circuit.

—Anna Jagelewski

**The Francis D. Murnaghan, Jr.**

Appellate Advocacy Fellowship at the Public Justice Center

# Appellate Advocacy

## Success Spotlight

Thanks to you, the Murnaghan Fellow plays a vital role in the Public Justice Center (PJC)'s Appellate Advocacy Project. By partnering with other PJC projects, the Murnaghan Fellow uses appellate cases to influence the development of civil rights and poverty law. Victory can take a long time, and often several consecutive fellows will work on a case before the end goal is realized. The following case highlights the work that is made possible by your ongoing support.

### Muriel Peters' Story

Ms. Muriel Peters worked as a home healthcare worker between 54 and 65 hours per week for more than a year, but she never received any overtime pay. She first sued Early Healthcare Giver, Inc. in Circuit Court without a lawyer, and lost because the Court accepted her employer's argument that Maryland wage laws did not apply to her.

#### **2011-2012 Fellow Tom Davies**

persuaded the Court of Special Appeals that Maryland wage laws did apply to her, and the case was returned to Circuit Court to be reheard. **2012-2013 Fellow Jean Zachariasiewicz** joined Ms. Peters at the Circuit Court level and partially won: the court awarded Ms. Peters her lost overtime but did not award damages and provided no explanation for its actions.

Ms. Peters appealed again and **2013-2014 Fellow Ilana Gelfman** argued the case before the Court of Appeals, supported by an amicus brief filed by the National Employment Law Project, Metropolitan Washington Employment Lawyers Association, Employment Justice Center, Maryland Legal Aid, and Casa de Maryland. Maryland's Commissioner of Labor and Industry also filed an amicus brief.

Ms. Peters and those supporting her prevailed. In August 2014, the Court of Appeals issued a decision confirming that workers can use both the Maryland Wage and Hour Law and the Maryland Wage Payment and Collection Law to sue for unpaid wages and seek additional damages. The ruling was a major victory for workers, clarifying the Maryland laws available for recovering their unpaid overtime wages through the court system.





Public Justice Center Executive Director John Nethercut introduces 2014-2015 Fellow Anna Jagelewski.



Murnaghan Board member Senator Paul Sarbanes and Douglas Jones following Mr. Jones's public lecture.

## 2014 Special Events

Senator Michael Bennet (D-CO), a former law clerk of Judge Murnaghan's, welcomed Fellowship supporters to the U.S. Capitol Visitor's Center for an evening on April 30<sup>th</sup>.

We were honored to hear from former U.S. Attorney Douglas Jones on November 5<sup>th</sup> for the Fellowship's public lecture. Decades after one of the most devastating attacks of the Civil Rights era, Mr. Jones led the team that successfully re-opened the case that had arisen from the 1963 16th Street Baptist Church bombing in Birmingham. His efforts led to the indictment and conviction of former KKK members responsible for the murder of four young girls.

Following the public lecture we celebrated the arrival of the new Murnaghan Fellow and thanked our previous Fellow for her year of service. Thank you as always to our generous host, Diana Edwards Murnaghan.

## The Murnaghan Legacy Circle

The Board of the Murnaghan Fellowship invites you to join the Murnaghan Legacy Circle, a group of supporters of the Murnaghan Fellowship who have made provisions as part of their estate planning for substantial gifts to the Fellowship. A gift made through your estate plan will have a strong and substantial impact on assuring the continued health of the Fellowship in the future; joining with others in the Murnaghan Legacy Circle will assure that the Fellowship continues in perpetuity. If you would like more information on joining the Murnaghan Legacy Circle, please contact Warren Hamel at:

Warren Hamel  
Venable LLP  
750 E. Pratt Street, Suite 900  
Baltimore, MD 21202  
(410) 244-7563

**The Francis D. Murnaghan, Jr.**

Appellate Advocacy Fellowship at the Public Justice Center

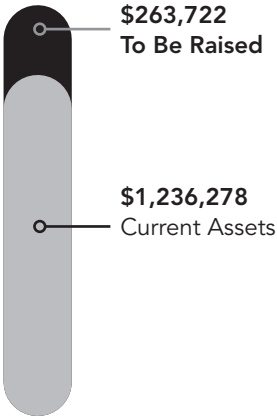
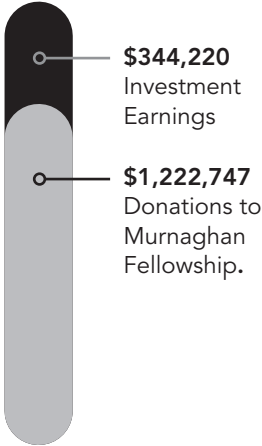


# Moving Towards Our Goal in FY2014

Because of your generosity, we have been able to support 14 Fellows and the Fellowship's lecture series while continuing to grow our endowment so that the Fellowship can continue in perpetuity. With your continued support, we will be able to create an endowment corpus of \$1.5 million, which, invested primarily in fixed-income securities, will create a self-sustaining investment that generates a sufficient income stream to cover our costs and is not dependent on the rise and fall of the equities market. The figure to the left shows the total donations made to the Murnaghan Fellowship and the investment earnings on those donations so far. The figure on the right shows our progress towards the goal of \$1.5 million.

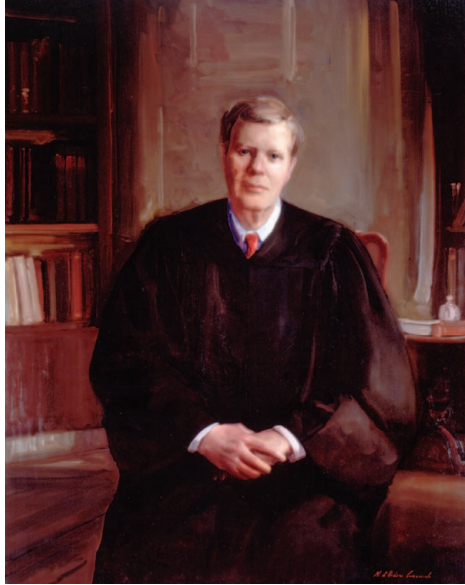
**Murnaghan  
Fellowship  
Revenue  
10.31.2014  
\$1,566,967**

**Goal: Perpetual  
Fellowship at  
\$1.5 million**



The Francis D. Murnaghan, Jr. Appellate Advocacy Fellowship is a 501 c 3 nonprofit organization incorporated in the State of Maryland. All contributions are tax deductible to the fullest extent of the law. Copies of current financial statements are available upon request by contacting the Murnaghan Fellowship at One North Charles Street, Suite 200, Baltimore, MD 21201 or by telephone (410) 625-9409. Documents and information submitted to the State of Maryland under the Maryland Charitable Solicitations Act are available from the Office of the Secretary of State, Annapolis, MD 21401 for the cost of copying and postage.





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Appellate Advocacy Fellowship  
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