

Below is a profile on UCI Law Adjunct Professor Mark D. Rosenbaum, featured in the Los Angeles Daily Journal's annual list of the "Top 100 Lawyers in California," published Sept. 21, 2016.

## Mark D. Rosenbaum



**PUBLIC COUNSEL**

LOS ANGELES

**SPECIALTY: PUBLIC INTEREST LAW**

In early September, Rosenbaum was in Detroit preparing a major new civil rights class action complaint aimed at fixing a broken public education system. The plaintiffs attend slum-like schools that primarily serve low-income children of color. "This will be the first case to establish a right of access to literacy on behalf of children in public schools," he said. With him in the effort were several Public Counsel colleagues alongside Erwin Chemerinsky of UC Irvine School of Law, lawyers working pro bono from Sidley Austin LLP and Evan H. Caminker of the University of Michigan Law School, a constitutional law scholar who formerly taught at UCLA School of Law.

"This is a huge Fourteenth Amendment case," Rosenbaum said, "about the failure of the state of Michigan to deliver proper education to its citizens. There is an abysmal lack of capacity in schoolchildren here to read, write and comprehend." He said the plaintiffs' team was bringing the litigation in Michigan because conditions were so bad there. "You have eighth grade kids running classrooms because of a lack of teachers. You have kids sitting in their coats in Michigan winters because it is so cold due to a lack of heating facilities. You have rats running around the classroom. Ninety-nine percent of students are not proficient in the basics. This is a huge case for us."

Two current California cases similarly target education lapses. Rosenbaum is currently litigating a case demanding that schools address the needs of students affected by trauma, a situation he described as an often-ignored public health crisis. "We're in serious confidential settlement talks," Rosenbaum said. "We are working with the defendants in good faith. Things are harmonious so far. This can be a model for the nation." *Peter P. v. Compton Unified School District*, 15-cv-3726 (C.D. Cal., filed May 18, 2015).

Last year, he and colleagues settled a case that charged state educators with equal protection clause violations at schools in Oakland, Compton and Los Angeles where low-income minority students predominate. "An unqualified success," Rosenbaum said of the state's promise to end courses devoid of academic content. *Cruz v. State of California*, RG14727139 (Alameda Super. Ct., filed May 29, 2014).

Also in 2015, Rosenbaum moved successfully to intervene on behalf of mentally disabled and homeless former inmates of Los Angeles County jails in a suit by the U.S. Department of Justice. It demands meaningful discharge planning for all such former inmates on release. *U.S. v. County of Los Angeles*, 15-cv-05903 (C.D. Cal., filed Sept. 28, 2015). "We're hoping that the Skid Row to jail cycle is put to an end," Rosenbaum said.

— John Roemer

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