

MEMO

TO: CIVIL CLINIC STUDENTS AND SUPERVISING ATTORNEYS

FROM: LINDA SMITH, CLINICAL PROGRAM DIRECTOR

RE: GOALS, METHODS & REQUIREMENTS OF THE CIVIL CLINIC

The goals of the Civil Clinic are to teach the basic lawyering skills of interviewing, counseling, negotiating and problem-solving. These skills are approached in the class (Lawyering Process or Lawyering Skills Cornerstone) through readings, observation of live and/or videotaped performances, and role play exercises. Students critique and are critiqued in their "mock" performances of the skills. These skills are also observed and employed by the student in a field placement. The student interacts with actual clients, witnesses, opposing counsel, and judges, all under the supervision of a lawyer.

It is the supervising lawyer's responsibility to assign the student clients, cases and case work which will enable the student to employ these skills. The supervisor should involve the student in all aspects of an assigned case. The student will rarely be given purely "research" assignments, but will do needed research in the preparation of a case.

It is the obligation of the supervising lawyer to ensure that the client is adequately represented (i.e. fully interviewed, appropriately advised about the law, competently advocated for through negotiations or in court). The student may give the client legal *information* that the supervisor has given the student through readings or otherwise. (I.e. the student may say: "A person is eligible for SSI or SSDI if s/he is disabled--either physically or mentally disabled--and therefore unable to hold down a regular job for at least a year.") However, the student SHOULD NOT give the client a *legal opinion* about the merits of the client's own case until the supervising attorney has authorized such an opinion. (I.e. the student should NOT say "You have a winning case" until the supervising attorney has OK'd that "opinion.") The lawyer has an ethical obligation to insure that there are systems in place to give each client competent legal representation. These procedures are designed to accomplish that goal.

The law student should ask for additional assignments and new cases when s/he is ready. S/he must keep the supervising attorney apprised of the case's progress, and get the supervising attorney's OK for any important steps (whether to accept a case, strategies for a new case, opinion to give client, letters, court documents, important calls to investigate, etc.) before undertaking these steps. The way in which the student and supervisor communicate (through memos, notes, regular meetings, ad hoc meetings etc.) must be worked out with the individual supervisor.

If the individual supervisor is not available and the client has an emergency or the student needs immediate guidance, the student should ask another attorney (or where appropriate, a paralegal) for guidance.

It is the law student's responsibility to be present at the office during the agreed-upon office hours, and where that is not possible to promptly notify the supervisor, coordinator, or other appropriate person of any required absence.

Students are assigned to placements with the primary goal of providing the best range of lawyering experiences and appropriately balancing the number of students any given placement (or attorney) can supervise. If the student has difficulties with the supervision, the student should generally try to resolve them with the supervisor, then (where appropriate) with the placement's student coordinator, and then with me (Linda Smith). If the supervisor has any difficulty with the student, the supervisor likewise should first try to resolve the problem with the student directly, second seek the assistance of the student coordinator, and third let me know about the concern. Both the student and the supervisor are asked to report on the placement experience and discuss that experience with Linda Smith during the course of the semester.

In order to receive credit for participating in the Civil Clinic, each student is requested to:

- complete 150 hours of work (including appropriate observations) for 3 credits
- complete 100 hours of work (including appropriate observations) for 2 credits

- maintain a "time log" (on the office's form if applicable) detailing the hours worked, case, tasks and any additional information required for the office's purposes

- complete all work to the supervisor's satisfaction in a professionally responsible manner

- complete all forms necessary for the office's operation

- engage in the full range of experiences the supervisor or placement have designed (e.g. observing and conducting a hearing, engaging in an "exit" interview, etc.)

- submit two periodic/monthly Interim Reports to Linda Smith

- submit a Final Report and the "time log" to Linda Smith at the end of the semester

- submit a "thought paper" at the conclusion of the semester or a "reflective journal" on a monthly basis to Linda Smith

- meet with Linda Smith and/or supervisor as scheduled from time to time

Any questions should be referred to me at my office (Room 117, College of Law, 581-4077) or at my home (583-9344).

Prof. Linda Smith

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In order to receive credit for participating in the Civil Clinic, each student is requested to:

- complete 140 hours of work (including appropriate observations) for 3 credits

- maintain a "time log" (on the office's form if applicable) detailing the hours worked, case, tasks and any additional information required for the office's purposes

- complete all work to the supervisor's satisfaction in a professionally responsible manner
- complete all forms necessary for the office's operation
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- meet with Linda Smith and/or supervisor as scheduled from time to time

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Prof. Linda Smith, Clinical

Program Director
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Summer, 1998

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In order to receive credit for participating in the Civil Clinic, each student is requested to:

- complete 140 hours of work (including appropriate observations) for 3 credits or complete 95 hours of work for 2 credits (if permitted)
- maintain a "time log" (on the office's form if applicable) detailing the hours worked, case, tasks and any additional information required for the office's purposes
- complete all work to the supervisor's satisfaction in a professionally responsible manner
- complete all forms necessary for the office's operation
- engage in the full range of experiences the supervisor or placement have designed (e.g. observing and conducting a hearing, engaging in an "exit" interview, etc.)
- submit two periodic/monthly Interim Reports to Linda Smith
- submit a Final Report and the "time log" to Linda Smith at the end of the semester
- submit a "thought paper" at the conclusion of the semester or "reflective journal" entries on a weekly basis to Linda Smith, as announced during orientation.
- meet with Linda Smith and/or supervisor as scheduled from time to time

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Prof. Linda Smith
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