Models of Clinics

- In-House: Advice and Pro Se Service
- In-House: Direct Representation
- In-House: Policy and Law Reform
- Street Law
- Placing Students in Fieldwork (Externship Model)

Who or What is a Client?

من هو الموكل (العميل) في برامج العيادات القانونية?

Models of Clinics

صور العيادات القانونية

- تقديم المشورة
- التمثيل المباشر للعملاء
- السياسة القانونية والإصلاح القانوني
Street law clinic

- العيادة المتنقلة (القواعد القانونية)
- العيادات الميدانية للطلاب.

In-House: Advice and Pro Se Service

- Advantages
- Disadvantages

- تقديم المشورة للعملاء في المنزل
- المزايا
- العيوب

In-House: Direct Representation

- Types of In-House Clinics
  - Civil Law
  - Labor law
  - Criminal Law
  - Human Rights/Refugee Law

- Advantages
- Disadvantages
In-House: Policy and Law Reform

• Types
• Advantages
• Disadvantages

Types

- المناهج
- المزايا
- العيوب

Advantages

Disadvantages

Combinations of Clinic Types: The Community Justice Project

Types

- Direct Representation
- Project Based Representation

Types

- المزايا
- العيوب

Advantages

Disadvantages

Overall Goals

• Students can conceptualize that neither the law nor the facts are unalterable; there are many ways to look at a legal problem.
• Students can understand that case theory can evolve over time and can be deeply affected by the lawyer’s own imagination and creativity.
• Students can see that a single case has implications far larger than the individual client’s needs.
• Students learn that something they can and should promote justice through the legal system and carry this lesson into their lives as lawyers.

Aims of the Community Justice Project

• Training the students on legal problems in a manner that can help them think beyond the legal facts.
• Teaching the students that case theory can evolve over time and can be deeply affected by the lawyer’s own imagination and creativity.
• Students can see that a single case has implications far larger than the individual client’s needs.
• Students learn that something they can and should promote justice through the legal system and carry this lesson into their lives as lawyers.
New Clinic Establishment: Overcoming Administrative and Cultural Barriers

Jane Aiken and Colleen Shanahan
Georgetown University Law Center
Washington, D.C. USA

Goal Setting

Decide on the goals or objectives of the clinical component of legal education within the general scheme of legal education in your own institution.

نظام التعليم القانوني في الجامعة

Goal Setting: Possible Goals

- Responsibility
- Service
- Learning to Learn
- Problem-solving
- Collaboration
- Cross-Cultural Awareness
- The Role of Emotions
- Coping with Facts
- Values
- Ethics
- Creativity
- Authority
- Traditional Skills
- Doctrine and Institutions
- Students’ Goals

Basic Structural Issues

- Teachers and Supervisors
- Duration, Credit, and Case Load
- A Grading System
- Student Practice Rules
- Cultural Barriers
- Academic Interruptions
- Recruiting Students
- Case Handling Systems

Structural Issue Example:

Cultural Barriers

- Getting students into court
- The role of a lawyer
- Professionalism and Ethics
- Public Interest Law
- A client as part of a broader social issue

Structural Issue Example:

Case Handling

- Teacher Training
- A Supervisory Method
- Student Collaboration
- Manuals, Forms and Checklists
- Access to Legal Materials
- Space, Equipment, and Support

Example:

- تدريب المعلم
- نظام الإشراف
- تعويض الأفراد
- النجاح والمهارات
- الاستمرار
- الحصول على المواد القانونية
- التعليمية
- المتكاملة والجهات الداعمة
Structural Issue Example:
Case Handling

- Forms
- Institutional Memory
- A Standardized Filing System
- Intake
- Relationships with Judges and Officials
- Closing and Transferring Cases
- Referrals

New Clinic Establishment:
What Do You Need?

ما تحتاج عند إنشاء عيادة قانونية جديدة؟

- What challenges have you faced?
- What would you need to know to start a clinic?
Goals for Creating Justice-Ready Students

- Students need to see and understand injustice
- Students need to believe that they can do something about it
- Students need to embrace their role as lawyers concerned about social justice

Creating an Environment for Social Justice Learning

- There is a "dialogic context": an opportunity to share their social, political and cultural history with one another.
- Participants should be able to explore their identity through events or experience in which the participants have agency and ownership.
- There is emotional content and dissonance and conflict

Goals: Supervision and Reflection

- Reinforcing skills
- Gaining insight into values
- Gaining insight into professional identity
- Gaining insight into self
- Reinforcing the importance and methods of learning from experience
- Reinforcing commitment to social justice

Creating an Environment for Social Justice Learning

- Through supervision of the cases, teachers create opportunities for reflection, action and generation.
- At the close of every event, there needs to be self-assessment and evaluation.
- Through clinical education we seek to reinforce reflective practice.

Methods of Clinical Legal Education: Techniques for Instruction

مناهج التعليم القانوني العملي (القيادة القانونية)

تقنيات التعليم

Jane Aiken and Colleen Shanahan
Georgetown University Law Center
Washington, D.C. USA

العدالة وإعداد الطلاب

- يحتاج الطلاب إلى رؤية وفهم
  عموم تفوق العدل (الظلم).
  يجبهم يمكنهم فعل شيء في
  مواجهة الظلم.
  إدراك الطلاب بأن دورهم
  في فهمهم يتضمن تحقيق العدالة
  الاجتماعية.

Creating an Environment for Social Justice Learning

- There is a "dialogic context": an opportunity to share their social, political and cultural history with one another.
- Participants should be able to explore their identity through events or experience in which the participants have agency and ownership.
- There is emotional content and dissonance and conflict

Goals: Supervision and Reflection

- Reiterating the skills
- Gaining insight into values
- Gaining insight into professional identity
- Gaining insight into self
- Reiterating the importance and methods of learning from experience
- Reiterating commitment to social justice

Creating an Environment for Social Justice Learning

- Through supervision of the cases, teachers create opportunities for reflection, action and generation.
- At the close of every event, there needs to be self-assessment and evaluation.
- Through clinical education we seek to reinforce reflective practice.
Creating an Environment for Learning: Examples of Supervision

 Techniques: Reflective Practice

- Have the learner identify and describe a problem
- Immers the learner into alternatives for dealing with the problem with an eye toward sustainability
- Identify cultural lenses that affect assessment
- Engage in personal reflection
- Engage in action planning personally and within a group
- Act on the action plan
- Reflect on the action plan
- Celebrate

Techniques: Questioning

Wiessner & Mezirow (2000)

- Be specific – relate questions to specific events and situations
- Move from the particular to the general
- Be conversational
- Avoid echoing students’ responses to a question
- Use follow-up questions or probes to encourage more specific responses
- Do not ask questions that can be responded to in a simplistic yes-no way
- Ask questions that draw on learner’s experiences and interests in relation to the topic

Opportunities for Reflective Practice

- Journaling
- Unsented letters
- Criteria analysis
- Role play and critical debate, an altered point of view, drafting a dialogue
- Crisis decision simulations
- Brainstorming, envisioning alternative futures, developing preferred scenarios, inventing futures
Methods of Clinical Education: Conceptual Approaches to Instruction

Essential Questions

- What is a good lawyer?
- What does a good lawyer do?
- With whom do lawyers work?
- What are the characteristics of the legal institutions and bureaucracies in which lawyers operate?
- What are the values and ethics—on paper and in practice—that govern the practice of law?

Seven Laws of Learning

Thiagi (2003)

- LAW OF REINFORCEMENT: Participants learn to repeat behaviors that are rewarded.
- LAW OF EMOTIONAL LEARNING: Events that are accompanied by intense emotions result in long-lasting learning.
- LAW OF ACTIVE LEARNING: Active responding produces more effective learning than passive listening or reading.
- LAW OF PRACTICE AND FEEDBACK: Learners cannot master skills without repeated practice and relevant feedback.
- LAW OF RELEVANCE: Effective learning is relevant to the learner’s life and work.
- LAW OF INDIVIDUAL DIFFERENCES: Different people learn in different ways.
- LAW OF PREVIOUS EXPERIENCE: New learning should be linked to (and build upon) the experiences of the learner.

The Role of Experiential Learning

- Rational mind: Learns indirectly, thinks deliberately, pays attention to the process, and forgets rapidly.
- Experiential mind: Learns directly, thinks quickly, pays attention to the outcome, and forgets slowly.

Seven Laws of Learning

Thiagi (2003)

- LAW OF ACTIVE LEARNING: Active responding produces more effective learning than passive listening or reading.
- LAW OF PRACTICE AND FEEDBACK: Learners cannot master skills without repeated practice and relevant feedback.
- LAW OF ACTIVE LEARNING: New learning should be linked to (and build upon) the experiences of the learner.
- LAW OF INDIVIDUAL DIFFERENCES: Different people learn in different ways.
- LAW OF RELEVANCE: Effective learning is relevant to the learner’s life and work.
Opportunities for Instruction

- Seminar Sessions
- Reading Assignments
- Written Assignments

Opportunities for Instruction

- Planning Client Meetings or Telephone Calls
- Developing a case theory
- Preparing for a hearing: proof charts, draft examinations
- Review of written motions
- Role Play of Hearings or Client Interactions
- Court Appearances

Opportunities for Instruction

- Group Feedback Meeting
- Individual Feedback Meeting
- Self-Reflection
- Self-Evaluation

Opportunities for Instruction

- Orientation
- The Syllabus
- Assignments – before class
- Activities – in class
- Integrating case work into seminar sessions

An Example: Seminar Sessions

- Orientation
- The Syllabus
- Assignments – before class
- Activities – in class
- Integrating case work into seminar sessions