What Is It? Why Do it?
How Does It Relate to Access to Justice?
Clinical legal education (CLE): a method of teaching and learning

Students assume a “real” role in the legal system—application of the law in “real” situations

Students’ experience in role is a starting point for the learning
أربعة نماذج أساسية

Four basic models

- "القانون المتداول بـ الشارع" محو الأمية القانونية
  - street law, legal literacy

- المحاكاة
  - Simulations

- مواضيع المجال، التدريب المهني والتدريب العملي
  - field placements, externships, internships, practicum

- تمثيل العميل، "عيادات الإتصال المباشر بالعميل"
  - Client representation, “live-client” clinics (LCC)
Our focus today

- "Live-client" clinics (LCC)

Students work on real clients’ cases

- "client" could be the community

Services provided vary widely
Clinic Variations

- The majority specialize in limited areas of law practice for client protection through adequate supervision.

- Some provide "full representation" including court appearance for educational reasons.
Others provide “legal opinions,” other types of “advice only,” or other limited services

Others: legislative, public policy work or community education
A live-client clinic might use other models of CLE too.

- Simulations to teach some skills that students need.

And a placement for students in some other organization like an NGO.
Street law & client representation (& some field placement) clinics provide legal services to people who need them but cannot pay.
U.S. law school curriculum requires that every student study:

- legal reasoning, legal research, problem solving & oral communication
- legal writing
- professional responsibility, legal ethics
- other professional skills
U.S. law schools must offer “substantial opportunities” for

“live-client or other real-life practical experiences”

هدف تطليع – ليس إلزاماً
شرط التخرج – إلزامي

pro bono activity
aspirational goal -- recommended
mandatory -- graduation requirement
Live-Client Clinics in the total U.S. law school curriculum

LCC is not a mandatory student course

But every school must offer clinical courses or externship.
US accreditation standards require that live-client clinics & externships are:

- "appropriately supervised"

encourage student reflection on experience & "values and responsibilities of the legal profession"

develop student ability to self-assess & improve own competence (to learn from experience)

These focus on educational goals
In legal education globally, many funders encourage live-client clinics to teach problem-solving and other professional skills to instruct in legal ethics & professional responsibility and values.

A start toward curriculum reform to provide practice-based legal education
Public Interest Law Institute (PILI) goal for legal education reform

"produce competent and ethical lawyers with the knowledge, understanding, skills, abilities, and motivation to help build just societies, which respect human rights"
Emphasis on Live-Client Clinic educational purposes

Live-Client Clinics around the world are addressing educational goals not filled elsewhere in the curriculum in many countries.

GAJE: www.gaje.org (Global Alliance for Justice Education)
Esperanza’s Story

Spanish-speaking immigrant woman from El Salvador living in DC

Physically abused by her partner: she was hospitalized and partner was criminally prosecuted.
What Clinic Students Did

Represented her in Civil Protection Order proceedings

Assisted client with criminal proceedings (keep her informed; drafted a victim impact statement)
What Clinic Students Did

Represented her in Custody and Child Support proceedings

Represented her in petition for U-Visa (to gain legal status under federal law)
تدويرت حياة اسبرانزا، أطفالها، وحياة الجميع المتأثرين بهم في العيادة -- من طلاب وأعضاء هيئة التدريس المشرفين -- إلى الأفضل من خلال معرفتهم و القفاح من أجل قضية اسبرانزا.

The lives of Esperanza, her children, and the lives of everyone they touched at CUA’s clinic-- students and faculty supervisors---changed for the better by knowing them and by fighting for Esperanza’s case.
Case Study: Human Trafficking

- Collaboration
- Complexity
- Thoroughness
- Role-identification
Opportunities in the Case for Skills Teaching

- المحاماة عبر عدة ثقافات
  Cross-Cultural Lawyering

- المذكرة
  Written Advocacy

- الانعكاسات أو الآثار
  Reflection

- مقابلات
  Interviewing

- الاحترافية
  Professionalism
طريق تدريس” العيادة “ التعليم القانوني القائم على دراسة الحالات Clinical Teaching Methods

محاكاة Simulation

لعب الأدوار Role-Plays

المجلات و الإصدارات الصحفية Journals

عرض قضايا Case Rounds
Spotlight: Interviewing

Multiple classes

Critique

Participation

Reflection
Fundamental Skills Are Enhanced

Student appreciates context

Understands that legal decision-making reflects the value system in which operates

Can adapt, evaluate and support her own analysis

Lawyer can become proactive in shaping legal disputes with an eye toward social justice
Why train students to do public interest work?

The new legal systems need lawyers who is able to see the bigger picture and be prepared to fight for it.

Through the use of public interest cases we teach students to think and not restrict their lawyering vision to the peculiarities of a specific case.

You are in the business of building a body of public interest lawyers in your country.
Lawyers can play a role in ensuring that the ideals of law become reality in practice.

There is an urgent need to expand old rights and create new rights.
Success of legal advocacy should be tied to expanding access to justice not merely in terms of winning or losing cases.

It is important to try to create new rights based on a vision of the future.