Social Justice Lawyering  
LAW6930, Section 02G6  
Fall 2015  
3 credits  
M,T,W 1:00-1:50  
Holland 285D

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Office Hours: MTW 2:00 – 3:00  
or by appointment

Co-instructor:  
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Course Objectives  
Social Justice Lawyering will explore how those in the legal profession can work to advance social justice. The class will initially examine the meaning of social justice and the variety of structural factors that contribute to legal inequality. It will then explore ways in which legal assistance is funded and delivered to low-income and underrepresented individuals; different substantive legal arenas in which social justice is pursued; and the diverse ways in which individuals can work for social justice, both in and out of the courtroom.

The course is designed to be introspective, interactive, and applied. There is an applied project in addition to a final exam. These project is intended to encourage students to become engaged in larger environments, develop networks of people engaged in social justice work, and become proactive in pursuing paid or pro bono work in social justice lawyering after graduation.

Materials  

Supplementary articles and cases are posted on TWEN as noted on the syllabus.

Requirements  
Class attendance and class preparation are required.

There is one applied project in addition to the final exam. This project includes written components, legal research or experiential learning, and a final presentation. Students can choose one of two ways to structure their projects. More detailed instructions for these assignments can be found on the TWEN site.
OPTION A: **Case Study**
1. Students must work in teams of two to four on this assignment.
2. Teams will select a social justice issue that involves legal work. The issue can be local or national, but it must be approved by the instructor before work begins. Examples of issues may be those related to a completed litigated case or a piece of legislation.
3. Students will meet with and interview stakeholders involved in the issue, such as litigants, attorneys, law clerks, community members, and other parties to examine the lawyering or policymaking process.
4. Students will also review any legal or policy documents involved in the case.
5. Each team will write a 10-page summary of the case that examines and analyzes what happened within the system of law and politics to the litigation, including the views of the interviewees.
6. Individuals working in teams will also submit a synopsis of their individual effort and on the research process.
7. Written case studies and individual synopses are due on the last day of class. Students will present their case studies during the last two weeks of classes.

OR

OPTION B: **Service Learning Project**
1. Students will sign up for one of the projects posted on TWEN. All projects require students to work in teams of 3-4.
2. Students will work for a legal organization or a community group to complete the projects under the supervision of a lawyer and consistent with the rules of professional responsibility.
3. The projects have been carefully selected so that students can increase their awareness of broader social justice issues and sense of community connectedness while they develop social justice lawyering skills. Additionally, students will have the opportunity to make a meaningful contribution to these causes.
4. Students are required to develop a “service learning contract” outlining the exact scope of work for successful completion of project and a “service learning work plan” that outlines timeframe for completion of project and sets internal deadlines. (Template and instructions available on TWEN)
5. Each project requires some type of work product.
6. Individuals working in teams will also submit a synopsis of their individual effort and on the project process.
7. Final work products and individual synopses are due on the last day of class. Students will make brief presentations about their project during the last week of class.

**Final exam**
There will be a short answer **final exam** based on material covered during the semester. An exam review will be held on the last days of class, after class presentations are completed.

Grading is as follows:
- Attendance and participation – 10%
- Case Study or Service Learning Project – 40%
- Final exam - 50%
**Accommodations for Students with Disabilities**

Exam accommodations are available to students with permanent and temporary disabilities. To receive accommodations, students must present appropriate documentation to the main campus Assistant Dean for Student Services, 205 Peabody Hall, (352) 392-1261, or through the Florida Relay Service 1-800-955-8771 (TDD) who will then make recommendations to the law school.

**Academic Honesty**

All students should abide by the University of Florida’s Academic Student Honor Code, which includes provision on academic honesty. For more information, check:

https://www.dso.ufl.edu/sccr/process/student-conduct-honor-code

**Classroom Electronics Use**

*All cell phones must be silenced and kept out of sight during class.* Use of laptops is monitored and impermissible use during class can affect your grade and can result in computer use being banned for the entire class. Please note the following excerpt from the College of Law’s Computer Policy: “*Students may use laptops in the classroom for notetaking and for class purposes as directed by the professor. Other uses are not permitted, including, but not limited to, email, chat rooms, instant messaging, ecommerce, game playing, etc.*”

**Class schedule**

Weeks 1 - 4 will develop the professional framework for the practice of law in the social justice arena. Weeks 5 - 12 will focus on the foundation for and implications for social justice lawyering within a variety of substantive areas of the law. Week 13 will involve discussion of the vocational choice to practice public interest law, including consideration of professional socialization and practice within an adversarial system. Classes during these 13 weeks will include discussion of a combination of background readings, case law, and when possible examples of individuals working in the related area of law or on a relevant issue. Week 14 will be reserved for presentations of case studies or service learning projects. If not all the class time during Week 14 is used, we will cover a current issue TBD. Week 15 is reserved for final exam review.

**Week 1: Introduction to Social Justice Lawyering**


8/19: *In Class: DVD* Finish and discuss “William Kunstler – Disturbing the Universe.”

**Week 2: Access to Justice and Models of Social Justice Lawyering**

8/24: *Readings:* MCW Chapter 1 (Entering the Profession), Section 4 - Envisioning Social Justice Lawyering (39-48); Chapter 2 (The Legal Profession, Legal Services and Access to Justice), Section 1 (Intro) – Law in Whose Interest... (63-64); Section 1(B) – The Movement for a Civil Gideon (87-92); Section 2 – Litigation and Inequality and (97-102).
8/25: Readings: MCW Chapter 2 cont’d, Sections 3(A) – The Politics of Funding Legal Work for Social Justice (102-110 and 114-118) and 3(C) (120-124); “The Florida Bar Foundation Celebrates the 30-year Anniversary of IOTA,” “No Longer Flush – IOLTA programs find new funding to support legal Services,” and “In Re: Amendments to Rule Regulating the Florida Bar 1-7.3” available on TWEN.

8/26: Readings: MCW Chapter 2 cont’d Sections 4(B) – Funding Legal Representation (146-155) and 4(C) Civil Rights Cases . . . (155-164 and 168-172).

Week 3: Facets of Representation – from Individual to Communities
8/31: Readings: MCW Chapter 3 (Social Justice Lawyers in Context), Section 1 – Reflections on Social Justice Lawyering (173-194); Section 2(B) - Understanding Communities… (199-209).

9/1: Readings: MCW Chapter 5 (From Individual Clients to Groups and Communities), Section 1 – The Client Centered Model of Representation (294-301 and 313-322). In Class: Guest Speaker Dr. Jennifer Sager, Ph.D. and Co-instructor Kirsten Clanton. NOTE: PLEASE DO NOT USE LAPTOPS DURING THIS CLASS.

9/2: Readings: MCW Chapter 11 (Lawyers and Political Struggles toward Transformation), Section 1 – Consciousness about Power as a Goal of Legal Practice, Section 2 – Community Empowerment and the Role of the Lawyer (778-804).

Week 4: Social Change – Law, Politics, and the Judiciary
9/7: Labor Day – no class


Assignment Due: Case Study Topic or Service Learning Contract

Week 5: Topics in Social Justice Lawyering – Residential Segregation

9/15: Readings: MCW Chapter 12, Section 2 cont’d (872-893).


Week 6: Topics - Environmental Justice


Week 7: Topics - Education
9/28: Readings: “Brown at 50: Educational Inequality from Reconstruction to Resegregation” (Leland Ware); Brown v. Board of Education 347 U.S. 483 (1954); Brown v. Board of Education – Why was it a hard case and how did the decision matter?” (Michael Klarman). Available on TWEN.

Week 8: Topics - Voting Rights
10/5: Readings: MCW Chapter 9, Participation in Democratic Society, Section 1 – Voting, Community Activism and Political Participation (607-617 and 623-633).

Week 9: Topics - Reproductive Rights
10/12: Readings: “Birthright – What’s next for Planned Parenthood” (Jill Lepore); “To Have and to Hold – Reproduction, marriage, and the Constitution” (Jill Lepore); “Understanding Reproductive Justice” (Loretta Ross). Available on TWEN.
10/13: Readings: Stuart v. Camnitz, 774 F.3d 238 (4th Cir. 2014); “Abortion and the courts: Choosing Battles” (The Economist); “Order Granting Plaintiffs’ Motion for Temporary Injunction (July 1, 2015)” Gainesville Woman Care, LLC v. State of Florida, Case No. 2015 CA 1323 (Fla. 2d Jud. Cir.); “How Does Florida’s Abortion Waiting Period Compare to Other States?” (WFSU News). Available on TWEN.

In Class: Co-instructor Kirsten Clanton. NOTE: PLEASE DO NOT USE LAPTOPS DURING THIS CLASS.

Week 10: Topics - Sexual Minorities
10/19: Readings: MCW Chapter 13 (Sexual Minorities: The Movement for Equality and Liberation), Intro, Section 1 – The Growth of the Movement (950-988); Section 3 - Privacy and Intimacy (1017-1031).
10/20: Readings: MCW Chapter 13 cont’d, Section 4(A)(B) and (C) – Relationships and Marriage (1032-1074).
In Class: Co-instructor Kirsten Clanton. NOTE: PLEASE DO NOT USE LAPTOPS DURING THIS CLASS.

Week 11: Topics – Globalization and Immigration

Week 12: Topics – Immigration and related issues
In Class: Guest Speaker, Jeannie Economos, Farmworker Association of Florida

11/3: Readings: “Possible Reforms of the U.S. Immigration Laws” (Kevin Johnson). Available on TWEN.  
In Class: Video clips from “Fixing the System – President Obama is Taking Action on Immigration” https://www.whitehouse.gov/issues/immigration/immigration-action

In Class: Brief video “Not In My Backyard: Undetected Human Trafficking in the United States” https://www.youtube.com/watch?v=vO9dDndhGxc

Week 13: Vocational Choices - Personal Considerations
In Class: Guest speaker Kristen Lentz

11/10: In class: DVD “Cruz Reynoso: Sowing the Seeds of Justice.”  
11/11: Veteran’s Day – No Class  
Assignment Due: Case Study Rough Draft or Updated Work Plan

Week 14: Case study presentations
11/16: Presentations  
11/17: Presentations  
11/18: Presentations or TBD

Week 15: Final exam review
11/23: Final exam review.  
11/24: Final exam review
11/25: No class. Assignments Due: Case Study Final Draft and Individual Reports or Service Learning Work Product and Individual Reports
FINAL EXAM: Friday, 12/11/15, 1-4 pm. Room TBA.