**Veterans and Service Members Legal Clinic**

**Judy Clausen, Legal Skills Professor, Supervising Attorney, Veterans and Service Members Legal Clinic (“Clinic”)**

Course Number: 6940-08CB-21031

Credit Hours: 6 credits

Office Location: 105K (in the clinical offices). However, I will not be in my office this semester, due to coronavirus. If you need to reach me, please email, text, or call me.

Office Phone: Please use work cellular phone (904) 412-5999

Email: jclausen@law.ufl.edu and clinical email: clausen.j@uflawclinics.org

Class Schedule: Mondays 2:50 p.m. to 4:50 PM

Class Location: Bailey or Zoom on designated days (every Monday lecture in which we have a guest speaker indicated on the syllabus will be by Zoom.)

Office Hours: My only class is the Clinic. Please do not feel that you need to limit email, text, or telephonic questions to scheduled office hours. We are working important cases together, so you can call, text, or email any time. In our first class, we will make a schedule for weekly telephonic conference calls for the Armed Forces teams.

Telephonic office hours: Tuesdays 10:00 AM-2:00 PM and Thursdays 11:00 AM to 2:00 PM. Conference call line: dial-in number: (415) 376-6329; host PIN: 481476#; participant PIN: 926651#

**Course Communications:**

Students should feel free to email, text, or call any time or day. I will not be physically present in the office.

**Required Course Materials:**

*Veterans Benefits Manual* most recent edition, published by LEXIS-NEXIS, produced by National Veterans Legal Services Program, edited by Barton Stichman, Ronald Abrams, Amy Odom, and Richard Spataro. Info to assist you in obtaining this book for free is on the case assignments, on the final page.

Other materials posted on the course page, available in client electronic records, or the US Court of Appeals for Veterans Claims website by doing a docket search, and distributed by email.

**Course Description:**

The Clinic offers students an opportunity to develop essential lawyering skills while serving military veterans on a pro bono basis. Primarily, supervised students assist in representing clients in appeals to the US. Court of Appeals for Veterans Claims. Students may also prepare legal memoranda for judge advocates, deliver Know Your Rights presentations, and may assist in representing clients in: advance healthcare planning, basic estate planning, remands and appeals to the Board of Veterans’ Appeals, claims to the VA Regional Office, VA character of discharge determination matters, and discharge upgrades. Depending on the needs of the clients, students may: (1) write appellate briefs, objective and persuasive legal memoranda, letters and emails to clients, witnesses, medical experts, and opposing counsel, (2) draft wills, advance directives, and representation agreements, (3) interview clients, material witnesses, and medical experts, and (4) assist in negotiating settlements on behalf of clients.

**Course Purpose and Learning Outcomes:**

Through classroom instruction, participation in programming with other law school veterans’ clinics, and supervised Clinic work for clients, students will learn about practice and procedure in federal administrative law, appellate practice, evidence concepts, veterans’ law, and the law and policy surrounding discharge upgrades. Moreover, this Clinic will help students learn how to:

* advocate for clients before Article 1 tribunals and federal appellate courts generally,
* draft appellate briefs and briefs before administrative review boards,
* research, understand, and apply rules of appellate procedure,
* draft motions,
* prioritize and shoulder a busy caseload,
* meet deadlines,
* develop evidence to present before administrative review boards and administrative agencies,
* interview and counsel clients,
* assist clients in basic estate planning and advance healthcare planning,
* draft wills and advance directives,
* write persuasively on behalf of clients,
* prepare client letters and emails,
* work with expert witnesses and other material witnesses,
* navigate ethical issues,
* organize and maintain electronic client files,
* orally present to groups,
* research and analyze federal statutes, administrative regulations, and case law,
* evaluate clients’ needs and identify potential solutions,
* negotiate settlements, and
* collaborate with other attorneys.

**Grading:**

The Clinic is pass/fail. I evaluate students like I would first year attorneys.

**Grading Scale:**

Grade Points Grade Points Grade Points

A (Excellent) 4.0 C+ 2.33 D- 0.67

A- 3.67 C (Satisfactory) 2.00 E (Failure) 0.0

B+ 3.33 C- 1.67

B (Good) 3.00 D+ 1.33

B- 2.67 D (Poor) 1.00

Although the Clinic is pass/fail, I include the grading scale as required by University policy.

**Student Course Evaluations:**

Students can provide feedback on the quality of instruction in the Clinic by completing online evaluations at <https://evaluations.ufl.edu>. Evaluations are typically open during the last two or three weeks of the semester. Students will receive notice of the specific times when they are open. Summary results of these assessments are available to students at <https://evaluations.ufl.edu/results/>.

**Class Attendance:**

Because we discuss client matters in class, classes are typically not recorded. If you need recording of class due to accommodations, please refer to the policy below. Attendance is mandatory. Students who must be absent should notify me ahead of time. Excused absences are consistent with University policies (https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx) and require appropriate documentation. Although the Clinic does not have a final exam, the University policy is that I provide the following exam-delay policy:

<http://www.law.ufl.edu/student-affairs/current-students/academic-policies#12>.

**University Honesty Policy:**

UF students are bound by The Honor Pledge which states, “We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the Honor Code. On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: “On my honor, I have neither given nor received unauthorized aid in doing this assignment.” The Honor Code

(https://www.dso.ufl.edu/sccr/process/student-conduct-honor-code/) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, students are obligated to report any condition that facilitates academic misconduct to appropriate personnel.

**Health and Wellness:**

*U Matter, We Care:*

Students who are in distress or know other students who are in distress should contact umatter@ufl.edu or 352-392-1575 so that a team member can reach out to the student.

*Counseling and Wellness Center:*

http:www.counseling.ufl.edu/cwc/Default.aspx, 352-392-1575, and the University Police Department: 352-392-1111, or 911 for emergencies.

*Sexual Assault Recovery Services (SARS)*

Sexual Health Care Center, 352-392-1161.

*University Police Department*

352-392-1111, or 911 for emergencies.

http://www.police.ufl.edu/

**Professionalism, Punctuality, Preparation, and Participation:**

Students should prepare for and actively participate in seminar sessions, status conferences, individual supervision sessions, client conference calls, and other Clinic events. Preparedness and active participation are key to success in the Clinic. Tardiness to seminar sessions, status conferences, supervision sessions, client conference calls, and other Clinic events is unprofessional. Most importantly, punctuality, professionalism, preparedness, and active engagement are key to effective client representation.

**Workload Expectations:**

There will be a classroom session on Mondays. Expect to work an average of 16 to 20 hours per week on Clinic work, including homework, legal research, online CLE, training programs with the nation’s law school veterans’ clinics, and, most importantly, client work. Please keep track of your hours. You must work 270 hours.

**Accommodations for Students with Disabilities:**

Students requesting accommodation for disabilities must first register with the Office of the Dean of Students ([http](file:///%5C%5Cad.fcsl.edu%5Cfiles%5Chome%5CJClausen%5CObjective%20Legal%20Writing%20University%20of%20Florida%5Chttp)[://](http://www.dso.ufl.edu/drc/)[www](http://www)[.dso.ufl.edu/drc/](http://www.dso.ufl.edu/drc/)). The Office of the Dean of Students will provide documentation to the student who must then provide this documentation to the law school’s Office of the Dean of Student Affairs. Students must submit this documentation prior to submitting assignments. Accommodations are not retroactive. Therefore, students should make arrangements as soon as possible in the term for which they seek accommodations.

**Course Website and Email Communication:**

I will also email important information. For example, students may learn through an email that I have changed the reading for a particular class or responded to commonly asked questions. Students should check email at least twice a day. There will also be a Canvas course page. However, please note that our Clinic is very different than your traditional skills or doctrinal classes. PowerPoint presentations and assigned reading are mere background information to help you work your cases. Your most important work is your work on behalf of clients. This class is like an apprenticeship. We are working together as if we were in a law firm. I treat you like colleagues. Therefore, the most important information is not posted on the course page but is conveyed through our communications about the cases we are handling together.

**Classroom Component of Clinic:**

Students should consult the Schedule of Assignments distributed by email and posted on the course page for assigned readings and an outline of topics to be explored in weekly seminar sessions. Your work for this Clinic will become a blurb on your resume as legal practice experience; therefore, this Clinic is quite different than your other classes. In this clinic, you are doing real work for clients, under my supervision. As in other busy law firms, every day, it is impossible to adhere to a strict predictable schedule. Hence, I cannot give you a rigid, unchanging syllabus of readings for the entire semester. We devote substantial time in class to discussing and strategizing about our cases. Thus, necessarily, the topics we explore constantly evolve, depending on our caseload and the issues we identify in our appeals. Seminar instruction is designed to aid students in Clinic work. Accordingly, the Schedule of Assignments is a fluid document and is only a rough outline. Undoubtedly, the syllabus will change many times during the semester.

It is important to the learning environment that you feel welcome in this Clinic and that you are comfortable participating in class discussions and communicating with me on any issues related to the Clinic. If your preferred name is not the name listed on the official UF roll, please let me know as soon as possible by email or otherwise. I would like to acknowledge your preferred name and pronouns that reflect your identity. Please let me know how you would like to be addressed in class, if your name and pronouns are not reflected by your UF-rostered name. Welcome to the Clinic.