Intimate Partner Violence Assistance Clinic (IPVAC)

FALL 2021 Syllabus

LAW 6940-114457

Rm: BG 136

Professor/Director: Teresa Drake, drake@law.ufl.edu & drake.t@uflawclinics.org (CLIENT RELATED COMMUNICATION ONLY)

Office Location: Virgil Hawkins Civil Clinic

Phone: 352-273-0805

**Office Hours:** Tuesday and Thursday 11 am - noon. Student meetings may be held in Professor Drake’s Office (mask preferred), outdoors (weather permitting) or via Zoom. Professor Drake is highly accommodating if students have a class conflict with these times or need additional time.

6 credit hours

**Textbook:**  *What Happened To You?* Bruce Perry M.D., Ph.D. & Oprah Winfrey

<http://statements.ufl.edu/statements/2020/june/another-step-toward-positive-change-against-racism.html>

**Course Objectives:**  The Intimate Partner Violence Assistance Clinic (IPVAC), which is a part of The Virgil Hawkins Civil Clinic (VHCC), operates simultaneously as a trauma-informed law office and as a classroom. We take a deep dive into the law and delivery of services to survivors of IPV (domestic, dating, sexual, and stalking violence). Law students will learn and practice interviewing and counseling skills, draft pleadings, develop trial strategies, prepare and represent clients in court, and understand the basic workings of a multidisciplinary team. Students are expected to think deeply about the universe of a survivor’s situation, not just the particular legal issue in front of him/her/them. Students will also survey social justice issues that impact the lives of survivors specifically, and the practice of law in general. These topics include, but are not limited to, poverty, race, immigration status, sexual orientation, gender identity and health/housing inequities. The Clinic aims to teach law students to be skilled, self-reflective lawyers equipped to litigate and counsel.

**Outline of Subjects to be Covered**: Because this is a “live” clinic, some of our class outline remains fluid to accommodate the discussion of current issues. Each week students will be informed of the topics and required readings via CANVAS. The following is a list of topics that may be included: interview/counseling, civil injunctions, legal writing, court procedures, dependency procedures, criminal procedures, civil procedures, preparing clients for court, confidentiality in a multi-disciplinary setting, lethality assessments and safety planning, professional responsibility and ethical considerations, investigations by the Department of Children and Families, criminal justice system, family law (timesharing), paternity, law enforcement procedures, strangulation, effects of IPV/Adverse Childhood Experiences on children, the biology of trauma, representing trauma survivors, intergenerational trauma, intersectionality, cross cultural counseling, working with translators, resources for those who abuse, IPV in the LGBTQ communities, IPV in the homeless community, IPV in the immigrant community, affordable housing for indigent clients, state and federal aid to indigent survivors, immigration law, judicial battering, vicarious trauma, and self-care. All readings are on Canvas.

**Virgil Hawkins Speaker Series:** In addition to IPVAC class on Tuesdays and Thursdays, our speaker series will be held on Fridays 1-2 pm. Speakers will be appearing via Zoom. It is highly recommended that you attend this series in real time. If you have a class conflict, please see Professor Drake.

**Assignments for Day of Class:** First Day of Class: All students will meet at 9:15 am, Tuesday, August 24, 2021 in BG 136. Prior to the first day of class, students are required to view the nine Virgil Hawkins Civil Clinic orientation videos that will be available through Canvas. After that, assignment will be posted on Canvas and discussed in class.

**IPVAC Student Goals:**

**1.** Become competent at basic lawyering, including using technology to connect clients and court, through classroom simulation and client/courtroom experience, this includes cultural competency;

2. Further develop skills and professional identity through reflective supervision and feedback;

3. Become familiar with concepts of lawyering for social change through a domestic violence framework;

4. Become familiar with the concepts of intersectionality as it relates to poverty, gender, race, culture, religion, sexual orientation, and gender identity;

5. Value interdisciplinary relationships with other professionals such as social workers and health care professionals, as well as partners in the community;

6. Critically analyze the terms “justice” and “winning”;

7. Learn that lawyers can bring their hearts, values and convictions to their legal work and professional identity;

8. Understand vicarious trauma and its impact on lawyers both as experienced through client interactions and systematic injustices; and

9. Develop skills to support healthfulness in lawyering and living.

The Virgil Hawkins Civil Clinic (VHCC) consists of four separate clinical sections: A Juvenile law clinic (Gator TeamChild), an Intimate Partner Violence Assistance Clinic (IPVAC-Injunction), an Immigration Clinic, and a Veteran’s Clinic. Because of the robust speaker schedule this term, you will be interacting with students from these other clinics as you listen and participate during these sessions. Please continue a dialog with students from other civil clinics. Your experience will greatly expand.

**Diversity Policy:** IPVAC includes a diverse group of students, staff and clients. We celebrate differences in culture, race, religion, sexual orientation, gender identity and expression, age, life choice, and physical and mental abilities. We strive to create a safe space where each person can fully self-express and feel supported and safe physically, socially, and personally. Our expectation is that everyone involved in the clinic be respectful of the humanism in all.

**Preferred Name and Pronouns:**

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

You may also change your “Display Name” in Canvas. Canvas uses the "Display Name" as set in myUFL.  The Display Name is what you want people to see in the UF Directory, such as "Ally" instead of "Allison."   To update your display name, go to one.uﬂ.edu, click on the dropdown at the top right, and select "Directory Proﬁle." Click "Edit" on the right of the name panel, uncheck "Use my legal name" under "Display Name," update how you wish your name to be displayed, and click "Submit" at the bottom.  This change may take up to 24 hours to appear in Canvas.   This does not change your legal name for ofﬁcial UF records

**Discourse, Inclusion, and the Classroom Ethos**

As a law student and future lawyer, it is important that you be able to engage in rigorous discourse and critical evaluation while also demonstrating civility and respect for others. This is even more important in the case of controversial issues and other topics that may elicit strong emotions.

As a group, we are likely diverse across racial, ethnic, sexual orientation, gender identity, economic, religious, and political lines. As we enter one of the great learning spaces in the world—the law school classroom—and develop our unique personality as a class section, Professor Drake encourages each of us to:

* commit to self-examination of our values and assumptions
* speak honestly, thoughtfully, and respectfully
* listen carefully and respectfully
* reserve the right to change our mind and allow for others to do the same
* allow ourselves and each other to verbalize ideas and to push the boundaries of logic and reasoning both as a means of exploring our beliefs as well as a method of sharpening our skills as lawyers

As part of my commitment to teaching and serving the diverse UF Law community, Professor Drake has signed the UF Law Anti-Racism Resolution ( https://www.law.ufl.edu/law-news/support-the-uf-law-anti-racism-resolution).

**Grades:** IPVAC is pass/fail, however, successful completion of this clinic requires a great deal of effort in both the classroom work and the representation component. This includes timely class attendance, completed homework, class preparation and participation. “Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click [here](https://gatorevals.aa.ufl.edu/students/) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students [here](https://gatorevals.aa.ufl.edu/public-results/).”

**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 (<http://www.dso.ufl.edu/sccr/process/student-conduct-honorcode/>) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obligated to report any condition that facilitates academic misconduct to appropriate personnel. If you have any questions or concerns, please consult with the Professor Drake.

**Attendance:** IPVAC, as an approved course at the Levin College of Law, requires “a record of attendance satisfactory to the professor.” We define satisfactory attendance as presence at 90% or more of all scheduled classes. Discuss the need to miss a class with Professor Drake in advance, if possible. The 90% rule does not apply to case work events; the 100% rule does. Do not schedule trials, hearings, depositions, negotiations, or client meetings in conflict with classes, unless the judge orders. If a judge schedules a court event during another non-clinic class, Professor Drake will contact the professor and explain the situation, if necessary. Most professors have been gracious about an absence assuming the student has not missed a number of classes for other reasons.

**Preparation for Class:** We will assume you have read, understood, and digested assigned materials before class. Thoughtful discussion is not only welcome; it is required. Other students will be counting on your full participation to enhance their learning experience.

**Penalties for Noncompliance:**

1. Course failure

2. Dropped from the class

3. Incomplete grade

4. Contacting the Florida Bar regarding unprofessional conduct

**Time Commitments/Credit Hours:** Students can expect to spend 18 hours a week…3 hours of classroom instruction, at least four hours of class preparation, on hour Virgil Hawkins Speaker Series and 10 office/clinical hours. These clinical hours will be established the first week of class and placed on the IPVAC calendar so that there is always one student available for client needs.

**Class Recordings:** UF class recording policy states as follows: Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. **A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.**

IPVAC is a legal live-client clinic. There are no formal “lecture” classes. All classes involve the discussion of client information and as such must adhere to the Florida Bar Rules of Professional Conduct. According to Rule 4-1.6, all information relating to a client's representation **is confidential** and may not be voluntarily disclosed by the lawyer without either the client's consent or the application of a relevant exception to the confidentiality rule. **Because client information is frequently discussed during class, recordings of IPVAC classes is prohibited.**

**Religious Holidays:** The Florida Board of Education and state law govern university policy regarding observance of religious holidays. The following guidelines apply:

Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith. Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence. Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances. If a faculty member is informed of or is aware that a significant number of students are likely to be absent from class because of a religious observance, the faculty member should not schedule a major exam or other academic event at that time.

A student who is to be excused from class for a religious observance is not required to provide a second party certification of the reason for the absence. Furthermore, a student who believes that he or she has been unreasonably denied an education benefit due to religious beliefs or practices may seek redress through the student grievance procedure.

**Health and Wellness:** Being a part of this clinic includes attention to and care of your physical, mental, emotional and physical health. If you do not feel comfortable discussing any of these with Professor Drake, please see the resources below:

Cynthia Yanez, LCSW, Virgil Hawkins Civil Clinic, 352-363-1101 (call or text) or 352-273-0994

[www.mindfulnessforlawyers.com](http://www.mindfulnessforlawyers.com)

<https://www.law.ufl.edu/wellness-at-uf-law>

*U Matter, We Care*: If you or someone you know is in distress, please contact umatter@ufl.edu, 352-392-1575, or visit [U Matter, We Care website](https://umatter.ufl.edu/) to refer or report a concern and a team member will reach out to the student in distress.

*Counseling and Wellness Center*: [Visit the Counseling and Wellness Center website](https://counseling.ufl.edu/) or call 352-392-1575 for information on crisis services as well as non-crisis services.

*Student Health Care Center*: Call 352-392-1161 for 24/7 information to help you find the care you need, or [visit the Student Health Care Center website](https://shcc.ufl.edu/).

*University Police Department*: [Visit UF Police Department website](https://police.ufl.edu/) or call 352-392-1111 (or 9-1-1 for emergencies).

*UF Health Shands Emergency Room / Trauma Center:* For immediate medical care call 352-733-0111 or go to the emergency room at 1515 SW Archer Road, Gainesville, FL 32608; [Visit the UF Health Emergency Room and Trauma Center website](https://ufhealth.org/emergency-room-trauma-center).

Students requesting accommodation for disabilities must first register with the Disability Resource Center (<http://www.dso.ufl.edu/drc/>). Once registered, students will receive an accommodation letter which must be presented to the Assistant Dean for Student Affairs (Dean Mitchell) when requesting accommodation. Students with disabilities should follow this procedure as early as possible in the semester.

**Any student who has difficulty accessing sufficient food or lacks a safe place to live is encouraged to contact the Office of Student Affairs.  If you are comfortable doing so, you may also notify Professor Drake or Cynthia Yanez so that they can direct you to further resources.**

I confirm that I have read this document in fully and understand its contents and will abide by its direction.

Name (print):

Signature: Date: