LAW6940: Civil Clinic

Juvenile Law and Policy Clinic (3 credits), Fall 2021

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Class Meets in HH355A on Thursdays from 9:15 – 11:15 AM

**One Child, One Advocate, One Voice**
- Gator TeamChild Motto

Welcome to Gator TeamChild Juvenile Law and Policy Clinic. Similar to an apprenticeship, you will learn and enhance lawyering skills while simultaneously representing clients and talking to non-lawyers about the law.

OFFICE HOURS

In the Gator TeamChild Juvenile Law Clinic, we have an open-door policy. I enjoy teaching, supervising, and talking to interns. If you have questions, please do not hesitate to stop by. Provided there is no conflict with court or client meetings, I will be available on Mondays and Wednesdays from 9 – 10 AM. You can also schedule a meeting by contacting me at steinberg@law.ufl.edu.

GRADES & EVALUATION

This course is graded Satisfactory or Unsatisfactory.  For Further information on current UF LAW grading policies, see: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>. Your grade will be based on written assignments, class participation, management of case assignments (see minimum case requirements below), quality of preparation and performance during class exercises and role plays and class attendance.  There is no final exam. A S+ will be awarded to students who perform exceptionally throughout the semester.

ATTENDANCE POLICY

Class attendance is mandatory. You may be representing real people and appearing in court. Class time will be used to prepare you to provide competent representation. Unavoidable incidents will be excused. If you must miss class due to documented illness, religious holidays, or an emergency notify your supervising attorney immediately. If possible, give the supervising attorney advance notice of your absence. Requirements for class attendance and make-up assignments, and other work in this course are consistent with university policies that can be found at: https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx (Links to an external site.)

**PRACTICE COMPONENT:**

COURSE DESCRIPTION

The Gator TeamChild Juvenile Law and Policy Clinic provides free legal services to children and gives students an opportunity to advocate for children regarding a broad spectrum of issues. The Clinic is provides representation primarily in dependency, delinquency and educational proceedings. The Clinic also provides educational opportunities to non-lawyers via lectures and talks delivered by law students enrolled in the clinic.

COURSE OBJECTIVES

The objective of this course is to prepare students for the practice of law. You will learn and apply essential lawyering skills through the representation of children in various legal proceedings.

 At the conclusion of the course, you will know how to:

1. Assist clients in achieving their objectives
2. Synthesize convoluted information and material
3. Develop persuasive arguments
4. Interact with professionals from various agencies and in opposing positions
5. Speak appropriately in various court proceedings
6. Draft and file basic motions
7. Utilize law office case management systems
8. Navigate complex systems embedded within various administrative agencies

COURSE MATERIALS

*Representing Children in Dependency and Family Court, by R. and P Stahl (required)*

EXPECTATIONS

**Time Requirements**. Gator TeamChild operates simultaneously as a law office and as a classroom.  It is engaged in the practice of law— representing children with real problems—and educating future lawyers in the basic skills of their profession. During the semester, you will assume full responsibility for cases. The Civil Clinic is the equivalent of a part - time job. You should expect to spend 10 hours a week to fulfill clinic responsibilities.

* Class: Classes will be held on Thursdays from 9:15 a.m. – 11:15 a.m. At the beginning of the semester the time will be used to cover substantive areas of juvenile law and completing assignments that will prepare you to handle cases. Later in the semester this time will be used for the following: to conduct case rounds, additional skills training, presentations by invited guests, and discussions of hot topics.
* Recorded Hours: As you would in an externship placement, you are expected to keep track of the hours you spend on our cases and clinic work. To that end, please plan on tracking 5 hours of work your per week. You will record these hours in CLIO. These hours can include outside of class guest lectures, court hearings, staffings, educational meetings, client appointment, class readings, projects, and assignments. Please note that if you attend the weekly Virgil Hawkins Civil Clinic Guest Lecture, you can receive 2.5 recorded hours for this activity as I expect you to attend having read the pre-lecture reading for these events. Of course, you will also spend approximately five additional preparing for class, but you do not need to record those hours, as even at large firms, it can be very challenging to account for all your worked time. Additional clinic hours will be on the honor system.
* Some events may require you to work outside of the times that you typically set aside to do client work. If you have a conflict with another College of Law class, see me as soon as you determine that you have a problem so we can work it out. As an attorney, it is your responsibility to set your own schedule to minimize conflicts.

**Preparation**. Adequate preparation includes identifying and researching issues in your case. We assume that you have read, understood, and digested any assigned material before class. Complete all written assignments on time. Extensions for completion of work will be assessed on a case-by-case basis. Late assignments will be considered when determining the end of the semester grade.

**Participation**. Agreement, disagreement, intelligent debate, and thoughtful argument are encouraged. We will brainstorm on every case. Bring your ideas and share them. We believe this is the way to give our clients our best. Students often disagree with each other, and with their supervisors, on how a case should be handled. Our cases often have an emotional aspect. **We must always treat each other with respect, consideration and professionalism**. We will allow you to make the final decisions on your cases to the greatest extent that we can and still avoid disbarment.

**Minimum Case Requirements**. Our minimum case requirements include:

* Attendance at **ALL**hearings, depositions, negotiation conferences, client meetings, and other client events at which you are primary counsel;
* Attendance at all hearings, depositions, negotiation conferences, and other significant client meetings and events conducted by your teammate. (Routine client meetings handled by your teammate, such as those needed to sign pleadings, are exempted from this requirement);
* Adequately preparing for court appearances and client meetings and other major case events such as depositions, negotiations, and significant client counseling sessions;
* Appropriate and timely handling of case tasks as they are identified by you, your teammate, and your supervisor at team meetings. Deadlines for task completion will typically be discussed and arranged at these meetings;
* Proper management of client files, both hard files and Clio files; and
* Professional representation of clients at all times.

WRITTEN ASSIGNMENTS

The clinic requires a fair amount of writing (even without taking client work into account). The primary goal of your written assignments is to inspire you to think about and learn from what you have done and seen. Reflecting critically on theory and behavior is a central component of the Clinic experience. The old saying “learn by doing” is popular and seems true on its face, but it is only partially true. The “doing” is important, but the digestion of the experience, the extraction of every ounce of learning, is where lawyering skills develop.

**Motions.** At the beginning of the semester you will be required to complete numerous drafting assignments. These assignments will consist of drafting motions, orders, and notices. The purpose of the assignment is to expose you to the following: (1) office practice when drafting documents, (2) documents that you may be required to draft for your real clients and (3) the process and procedures for filing documents with the court.

**Transfer Memos.** Prior to the end of the semester you will be required to write a transfer memo for the cases assigned to your team. See [Guidelines for Writing Transfer Memo](https://ufl.instructure.com/courses/347538/pages/transfer-memo). Transfer memos MUST be completed for you to receive a passing grade in the course.

**Presentations.** There may be times where students will be asked to present on juvenile law on campus and in the community. All students are expected to participate in these endeavors.

EXPECTATIONS

I assume, and expect, that you will complete all assignments and learn what the readings teach, so you can benefit from observing and analyzing demonstrated skills and begin to practice those skills yourself. I will not micromanage you, or ask if you finished the readings; we might not even discuss them, as they are intended to help you develop your skills and understand the theory behind the choices that you will make as you engage in the practice of law, not "be on the test."

**ADDITIONAL INFORMATION**

ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

Students with disabilities requesting accommodations should first register with the Disability Resource Center (352-392-8565) by providing appropriate documentation. Once registered, students will receive an accommodation letter which must be presented to the instructor when requesting accommodation. Students with disabilities should follow this procedure as early as possible in the semester. https://drc.dso.ufl.edu/

DIVERSITY POLICY

GTC 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 each individual involved in the clinic be respectful of the humanism in all.

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.**

GTC is a legal live-client clinic 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 GTC classes is prohibited.**

Students may not take, circulate, or post photos or videos of classroom discussions, whether they are in-person, hybrid, or completely online. Students failing to follow this rule will be referred to the College of Law Honor Code Council and the University’s Office of Student Conduct and Conflict Resolution.

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.

COURSE ETHICS

Academic honesty and integrity are fundamental values of the University community. Students should understand the UF Student Honor Code located [here](https://sccr.dso.ufl.edu/process/student-conduct-code/).

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 specifies a number of behaviors that are in violation of this code and the possible sanctions. Click [here](https://sccr.dso.ufl.edu/process/student-conduct-code/) to read the Honor Code.

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 me.

HEALTH AND WELLNESS

U Matter, We Care: If you or a friend is in distress, please contact umatter@ufl.edu or 352 392-1575 so that a team member can reach out to the student.

Counseling and Wellness Center: 392-1575; and the University Police Department: 392-1111 or 9-1-1 for emergencies. [http://www.counseling.ufl.edu/cwc/Default.aspx (Links to an external site.)Links to an external site.](http://www.counseling.ufl.edu/cwc/Default.aspx)

Sexual Assault Recovery Services (SARS): Student Health Care Center: 392-1161.

University Police Department: 392-1111 (or 9-1-1 for emergencies).  [http://www.police.ufl.edu/ (Links to an external site.)Links to an external site.](http://www.police.ufl.edu/)

Below is a list of classes and assignments.  When you click on a class or assignment, it will open a window in the calendar which provides further information.  You can also access our classes and assignments through the calendar directly.  I am still in the process of updating the class and assignment descriptions so don't be alarmed if you touch on a class or assignment and there is no information describing what you should do.  This information will be updated prior to the date of the class or the date the assignment is due.

COURSE EVALUATIONS

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 can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via [ufl.bluera.com/ufl/](file:///C%3A%5CUsers%5Crmcilhenny%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CContent.Outlook%5CQH37XRU4%5Cufl.bluera.com%5Cufl%5C). Summaries of course evaluation results are available to students [here](https://gatorevals.aa.ufl.edu/public-results/).

**Class Schedule**

Please note this schedule may change as we proceed in our semester. Changes will be communicated via Canvas. Please also refer to the clinic google calendar to keep track of guest speaker events.

**Week One (Week of August 23rd)**

Thursday:

Read: Chapter 1 and 2, *Representing Children in Dependency and Family Court*

Watch: [Do AALs need to disclose the location of their child client?](https://robertlathamesq.org/category/top-menu/page/3) (3D13-1025 – RLR v. State of Florida – Attorney Client Privilege)

Lecture Topic: Gator TeamChild: Overview of the Clinic Experience; The Dependency Court Process

**Week Two (Week of August 30th)**

Thursday:

Read: Chapter 3 and 10, *Representing Children in Dependency and Family Court*

Lecture Topic: The Dependency Court Process (continued); Introduction to Clinic cases

**Week Three (Week of September 6th)**

Begin recording office hours.

Thursday:

Read: Full case file of 1st assigned case, including clerk docket lines

Lecture Topic: Overview of Clinic Cases, continued

Special Assignments provided (Frontiers in AI, Career Day at EHS, Family, Youth, and Community Sciences course)

Friday:

Assignment Due: [Technology Assignment](https://ufl.instructure.com/courses/361513/assignments/3720393)

**Week Four (Week of September 13th)**

Thursday:

No class. This week, meet with clinic partner and draft a memo summarizing the status of your assigned case, including a plan for who you plan to meet/speak with this semester (and when). Also, please send me a draft of your Notice of Appearance, Introduction to the Court, Consent to be Represented by CLI on assigned case(s).

**Week Five (Week of September 20th)**

Thursday:

Read: [ABA Model Act Governing the Representation of Children in Abuse, Neglect, and Dependency Proceedings](https://www.americanbar.org/content/dam/aba/administrative/child_law/aba_model_act_2011.pdf), Chapter 4 and 5, Representing Children in Dependency and Family Court; [Introduction to the Florida Department of Juvenile Justice (DJJ)](http://centerforchildwelfare.fmhi.usf.edu/kb/trcurriculum/IntroToDJJ-TrainerGuide.pdf); Review flowchart on [DJJ Website](http://www.djj.state.fl.us/youth-families/juvenile-justice-process).

Lecture Topic: Model Rules Governing Representing Children; The Delinquency Court Process Overview

**Week Six (Week of September 27th)**

Thursday:

Lecture Topic: Student Presentations. Present one or two issues from your assigned case to the class.

**Week Seven (Week of October 4th)**

Thursday:

Reading Assignment: [Stacey B. Steinberg, Sharenting: Children's Privacy in the Age of Social Media, 66 Emory L.J. 839 (2017)](https://1.next.westlaw.com/Document/I842df2883b7711e798dc8b09b4f043e0/View/FullText.html?transitionType=Default&contextData=(oc.Default))

Lecture Topic: Social Media and Adoption Law

**Week Eight (Week of October 11th)**

Thursday:

Special Education Law

Reading Assignment: [L.H. v. Hamilton Cty. Dep't of Educ., 900 F.3d 779 (6th Cir. 2018)](https://1.next.westlaw.com/Document/I3b01be20a4a111e8943bb2cb5f7224e8/View/FullText.html?transitionType=Default&contextData=(oc.Default))

**Week Nine (Week of October 18th)**

Wednesday:

Career Day at Eastside High School

Thursday:

Spend class time developing a memo regarding how children with autism and related disabilities both at increased risk of harm are online but can also benefit from the use of social media. You can either work on your own or with a partner. Work in the clinic suite (if possible) to ensure opportunities for collaboration.

**Week Ten (Week of October 25th)**

Thursday:

Present your research findings from last week.

Friday:

Submit your research memo (at least three double-spaced pages per student – groups of two students should submit at least six double-spaced pages) and slides by 5 PM. Memo should include footnotes and citations as appropriate. I prefer footnotes over endnotes.

**Week Eleven (Week of November 1st)**

Thursday:

Topic: Frontiers in AI Presentation to GTC students

**Week Twelve (Week of November 8th)**

Thursday:

TBA

Friday:

Assignment Due: Draft of Case Transfer Memos

**Week Thirteen (Week of November 15th)**

Monday:

Noon: Weyrauch Lecture (via Zoom – attendance required)

Tuesday:

Frontiers in AI guest lecture

Thursday:

Semester Wrap Up

Friday:

End recording office hours

**Week Fourteen (Week of November 23rd)**

Tuesday:

Submit final transfer memos