

Gender Justice Clinic

FALL 2023 Syllabus

Professor/Director: Teresa Drake (she/her), drake@law.ufl.edu

Office Location: Virgil Hawkins Civil Clinic

Phone: 352-273-0805

Office Hours: Tuesdays and Thursdays 10:30 – 11:30 am, or by appointment. Student meetings may be held in Professor Drake's office, outdoors (weather permitting). Professor Drake is highly accommodating if students have a class conflict with these times or need additional time.

Class: Tuesday & Thursdays, 9 – 10:25 am, 6 credit hours, MLAC 213

Tuesday, August 27: First day of class meets in the Virgil Hawkins Clinic Suite

Be at the UFLaw Welcome Center at 8:50 am

Course Objectives: The Gender Justice Clinic (GJC), 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 legal services to those who face violence, discrimination, or other oppression based on their actual or perceived sexual orientation, gender identity, or gender expression. GJC seeks to promote gender equality and to advance the rights of people who identify as lesbian, gay, bisexual, transgender, nonbinary, queer, questioning, intersex, and/or gender nonconforming.

Law students will learn and practice trauma-responsive, culturally competent interviewing and counseling skills, draft and file pleadings, prepare clients for testimony in Florida Circuit Court, navigate Florida/Federal agencies that issue gender marker identification, and identify systemic issues of discrimination or oppression in State/Federal laws and/or policies. Certified Legal Interns will represent clients in Florida Circuit Court in any of the 67 Florida counties. Students will participate in name and gender marker change clinics.

Students are expected to think deeply about the universe of a client's situation, not just the specific legal issue in front of him/her/them. GJC's multidisciplinary approach includes the expertise of a licensed clinical social worker, who supports both students and clients. Students will also survey social justice issues that impact the lives of individual clients and the practice of law in general. These topics include, but are not limited to poverty, race, immigration status, incarceration status, religion, culture, sexual orientation, gender identity, gender expression, 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, our class outline remains fluid to accommodate the discussion of current cases/issues. Each week students will be informed of the topics and required readings via email. The following is a list of topics that may include, but not limited to:

- Trauma-responsive, culturally competent interviewing and counseling,
- Legal drafting,
- Strategic planning,
- Florida Statutes 39, 61, 63, , 68, 741, 784,
- Florida criminal, civil and family law procedures,
- Gender marker change procedures at Federal Social Security Administration, Florida Department of Motor Vehicles, U.S. Department of State, Departments of Vital Records
- Lethality assessments and safety planning,
- Professional responsibility and ethical considerations,
- Effects of Adverse Childhood Experiences (ACES) on children/biology of trauma,
- Intergenerational trauma,
- Intersectionality as defined by Kimberlee Crenshaw as it relates to IPV and LGBTQ+ communities,
- Working with non-English speaking clients/translators,
- Role of mental health professionals in a legal setting,
- The use of expert testimony,
- Collaborating with community and/or non-profit organizations to identify and solve complex, systemic issues affecting LGBTQ+ individuals
- Vicarious trauma and self-care

Assignments for Day of Class: First day of class assignment will be emailed to you the week before classes begin. **There will be an 6-hour orientation on Saturdy, August 26. This is required.**

GJC Student Goals:

1. Become competent at basic, culturally competent lawyering skills, including using technology to connect clients and court,
2. Further develop skills and professional identity through reflective supervision and feedback,
3. Become familiar with concepts of lawyering for social change through a gender framework,
4. Become familiar with the concepts of intersectionality as it relates to poverty, race, religion, culture, immigration status, incarceration status, sexual orientation, gender identity, gender expression, and health/housing inequities,

5. Value interdisciplinary relationships with other professionals such as social workers and health care professionals, as well as partners in the local community and state-wide,
6. Critically analyze the terms “justice” and “winning”,
7. Learn that lawyers can bring their values and convictions to their legal work and professional identity,
8. Understand vicarious trauma and its impact on lawyers as experienced through client interactions and systematic injustices; and
9. Develop skills to support wellness in lawyering and living.

The Virgil Hawkins Civil Clinic (VHCC) consists of five separate clinical sections: a Juvenile law clinic (Gator TeamChild), a Gender Justice Clinic (GJC), an Immigration Clinic, a low Income Tax clinic, and a Veteran’s Clinic. Please continue a dialog with students from other civil clinics. Your experience will greatly expand.

Diversity Policy: GJC 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, emotionally 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 is important to acknowledge your preferred name, and pronouns that reflect your identity.

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 drop down 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, it is likely we will be diverse across racial, ethnic, sexual orientation, gender identity, economic, religious, and cultural 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*
- 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

Grades: GJC 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.

Attendance: GJC, 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 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 15 hours a week...3 hours of classroom instruction, at least 12 hours class prep/clinical hours (client related work). Two hours of the 12 must be spent in the Clinic workspace. These 2 hours will be determined during the first week of class and placed on the GJC calendar. We will have an 6-hour orientation the first Saturday of class. These “additional” orientation hours will be subtracted from office/clinical hours at end of the term. Please note that client work may take more or less time each week. Be prepared to be flexible.

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.**

GJC is a legal live-client clinic. There are no formal “lectures” as are often seen in doctrinal law 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 GJC 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:

Ritz Ettinger, law school mental health counselor (confidential) rettinger@ufl.edu

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

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](#) 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](#) 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](#).

University Police Department: [Visit UF Police Department website](#) 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](#).

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, or if you are comfortable doing so, you may also notify Professor Drake, Cynthia Yanez or Ritzy Ettinger so that they may direct you to further resources.

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations can be found at this link: <https://ufl.instructure.com/courses/427635/files/74674656?wrap=1>".

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

Name (print):

Signature:

Date: