LAW6940: Civil Clinic

Juvenile (6 credits), Spring 2021

Professor Stacey Steinberg                                         
105K Bruton-Geer Hall                                             
(352) 273-0813 (office)                                             
(352) 392-0414 (fax)                                                 
[steinberg@law.ufl.edu](mailto:steinberg@law.ufl.edu)    (faculty email)                          
[steinberg.s@uflawclinics.org](mailto:rawls.m@uflawclinics.org) (client email)

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

Welcome to Gator TeamChild Juvenile Law Clinic. Similar to an apprenticeship, you will learn and enhance lawyering skills while simultaneously representing clients. In an effort to be very clear about what you are accomplishing throughout the semester, you will have classes and assignments geared specifically towards the PRACTICE component and classes and assignments geared specifically towards the SKILLS component. You must read the syllabus in its entirety to understand what is required to satisfactorily complete the course.

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 for an hour on Tuesdays and Thursdays after our scheduled class time. You are also welcome to schedule a meeting by contacting me at [steinberg@law.ufl.edu](mailto:steinberg@law.ufl.edu).

GRADES & EVALUATION

This course is graded Satisfactory or Unsatisfactory.  For Further information on current UF LAW grading policies, see: [https://catalog.ufl.edu/ugrad/current/regulations/info/grades.aspx (Links to an external site.)Links to an external site.](https://catalog.ufl.edu/ugrad/current/regulations/info/grades.aspx). 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 will 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 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 a full service law firm, providing representation primarily in dependency, delinquency and educational proceedings.

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
9. Skills necessary for successful interviewing, counseling, and negotiation

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 18 hours a week to fulfill clinic responsibilities.  **Even after classes end, students are responsible for handling their cases.**  This means you must be available for clients and cases over semester breaks and until the next semester begins, when the cases are formally transferred to the new legal interns.

* Class: Classes will be held on Tuesdays and Thursdays from 9 a.m. – 11 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, discussion of hot topics and court house and jail visits.
* 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 10 hours of work your per week. You will record these hours in CLIO. These hours can include court hearings, staffings, educational meetings, client appointment, class readings, projects, and assignments. There is also a list of additional assignments that all students should try to complete as their caseload allows. Of course, you will also spend an additional 4 hours 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. Those four 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.

*Class: 4 hours/week; Recorded hours: 10 hours a week; Prep for class: 4 hours/ week = 18 total hours spent on our Clinic per week.*

**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.

**Journal Entries.** During the semester, you are required to keep a journal outlining your reflections to the reading assignments and guest speakers. You may also use this space reflect on experiences with cases, classmates, or current events. You can reflect daily or weekly, as long as each week’s reflection equals at least 250 words.

**Mid-Term Evaluation.**Each student will submit a mid-term evaluation, approximately two double-spaced typed pages, which outline: (a) what skills you need to improve, (b) which areas need more explanation by the instructor, and (c) what goals you have set for the rest of the semester.

**Looking Back Paper.** Each student will also submit a final paper. Your paper will include a review of your performance, areas in which you hope to improve, and your impressions of the clinical experience and how it can be improved. There is no page length requirement; we are looking for quality, not quantity. See [Looking Back Paper Issues to Address](https://ufl.instructure.com/courses/347538/pages/looking-back-paper-issues-to-address)for the topics that must be covered in completing the Looking Back Paper.

**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 micro manage 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.

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](mailto: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:\Users\rmcilhenny\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\QH37XRU4\ufl.bluera.com\ufl\). Summaries of course evaluation results are available to students [here](https://gatorevals.aa.ufl.edu/public-results/).

COVID POLICIES

Many students will have face-to-face instructional sessions to accomplish the student learning objectives of this course. In response to COVID-19, the following policies and requirements are in place to maintain your learning environment and to enhance the safety of our in-classroom interactions. I may take noncompliance into account when grading students or determining if a student may remain in the course.

* You are required to wear approved face coverings at all times during class and within buildings. Following and enforcing these policies and requirements are all of our responsibility. Failure to do so will lead to a report to the Office of Student Conduct and Conflict Resolution. You also will no longer be permitted on the UF Law campus. Finally, Dean Inman will also report your noncompliance to the relevant state board of bar examiners.
* This course has been assigned a physical classroom with enough capacity to maintain physical distancing (6 feet between individuals) requirements. Please utilize designated seats and maintain appropriate spacing between students. Please do not move desks or stations.
* Sanitizing supplies are available in the classroom if you wish to wipe down your desks prior to sitting down and at the end of the class.
* Be mindful of how to properly enter and exit the classroom.  Practice physical distancing to the extent possible when entering and exiting the classroom.
* If you are experiencing COVID-19 symptoms (<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>), please do not come to campus or, if you are already on campus, please immediately leave campus. Please use the UF Health screening system and follow the instructions about when you are able to return to campus.  <https://coronavirus.ufhealth.org/screen-test-protect/covid-19-exposure-and-symptoms-who-do-i-call-if/>.
* Course materials will be provided to you with an excused absence, and you will be given a reasonable amount of time to make up work.<https://catalog.ufl.edu/UGRD/academic-regulations/attendance-policies/>.”

RECORDING OF CLASSROOM DISCUSSION

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.

**Class Schedule**

Please note this schedule may change as we proceed in our semester. Changes will be communicated via Canvas.

Schedule Notes:

\*All reading noted for Tuesday must be read before Tuesday’s class. Some weeks have additional assignments listed. Please complete this work if you do not have enough client/class work to meet your recorded hour requirements for the week. Please expect to be assigned substantial additional work as the semester progresses.

**Week One (Week of January 18th)**

Tuesday:

Read: [Dependency Case Management Flowchart](https://www.flcourts.org/content/download/215991/1961892/Floridas_Dependency_Flow_Chart_page1.pdf), [Dependency Case Management Flowchart](https://www.flcourts.org/content/download/215992/1961898/Floridas_Dependency_Flow_Chart_page2.pdf) (Page Two), [Children in Court](https://www.flcourts.org/content/download/215998/1961934/Floridas_Dependency_Benchbook_ChildrenInCourt.pdf). (Hyperlinks will be posted in Canvas course)

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

Thursday:

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

Lecture Topic: Overview of Clinic Cases

Friday:

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)

**Week Two (Week of January 25th)**

Tuesday:

Guest Speaker: Heather Flynn, Welcome to Clinics Part I

Thursday:

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

Lecture Topic: The Dependency Court Process (continued)

[SIPP - Disability Rights Florida](https://disabilityrightsflorida.org/resources/disability_topic_info/rights_in_a_statewide_inpatient_psychiatric_program_sipp_for_children_under)

[Suitability Assessment Guidelines](https://myflfamilies.com/service-programs/community-based-care/docs/SuitabilityAssessmentGuidance.pdf)

Friday:

Assignment Due: Research the [Expunction Process](https://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home.aspx) from FDLE’s website. Draft a one-page overview that summarizes the types of expunctions available to juveniles.

Submit January journal entries

**Week Three (Week of February 1st)**

Begin recording office hours.

Tuesday:

Guest Speaker: Heather Flynn and Cynthia Yanez; Part 1: Various mental health professionals and their intersections with legal professionals, especially social workers; Part 2: Welcome part II: Q&A after student review of onboarding procedures from video distributed to clinical students in advance.

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

Thursday:

Read: [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: The Delinquency Court Process Overview

Friday:

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

**Week Four (Week of February 8th)**

Monday:

Read: [*Confidentiality, Consultation, and the Child Client*](https://scholarlycommons.law.hofstra.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1603&context=faculty_scholarship)

Tuesday:

Guest Speaker: Dr. Joy Gabrielli, Motivational Interviewing

Read: [Annette Ruth Appell, Representing Children Representing What?: Critical Reflections on Lawyering for Children, 39 Colum. Hum. Rts. L. Rev. 573 (2008)](https://1.next.westlaw.com/Document/If06a9db97ecc11dd93e7a76b30106ace/View/FullText.html?transitionType=Default&contextData=(oc.Default))

Thursday:

Lecture Topic: Model Rules for Lawyers Representing Children

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)

Friday:

Assignment Due: Draft of Notice of Appearance, Introduction to the Court, Consent to be Represented by CLI on assigned case(s).

**Week Five (Week of February 15th)**

Monday:

COURT (TIME TBD); PLAN ON APPEARING VIA ZOOM

Read: Anne C. Dailey, Laura A. Rosenbury, The New Law of the Child, 127 Yale L.J. 1448 (2018)

Tuesday:

Tentative Guest Speaker: Angie Pie, Executive director of the Beacon Center in Daytona Beach

Read: Chapter 4 and 5, *Representing Children in Dependency and Family Court;*

Thursday:

Meet with case partners and prepare summaries on assigned cases (additional information to be provided)

ALCHUA COUNTY COURT at 11 AM (via Zoom – additional information to be provided)

Friday:

Assignment Due:

Watch: [To transform child welfare, take race out of the equation](https://www.ted.com/talks/jessica_pryce_to_transform_child_welfare_take_race_out_of_the_equation/transcript?language=en)

Read: [Racial Disproportionality and Disparity in the Child Welfare System](https://www.childwelfare.gov/pubPDFs/racial_disproportionality.pdf#page=2&view=Prevalence)

Research how child welfare professionals can combat implicit bias in their work and write a 200-700 word summary (less than 750 words) explaining your findings.

\*\*\*TRIAL SET FOR FRIDAY

**Week Six (Week of February 22nd)**

Monday:

Assignment Due: Choose topic for this week’s statute presentation. Research a statute that deal with children’s online conduct. For example, you could research COPPA, a cyber-bullying statute, an anti-revenge pornography statute, or a bill focused on online threats on school campuses. Send me an email with your statute choice.

Tuesday:

Tentative Guest Speaker: Melissa Nelson, State Attorney

Thursday:

Assignment Due: Statute Presentation

Lecture Topic: Student Presentations. Present your statute research to the class – prepare a handout or power point presentation. Each presenter has up to twelve minutes to present.

Submit February journal entries

**Week Seven (Week of March 1st)**

Tuesday:

Tentative Guest Speaker: Michelle Smith

Thursday:

Lecture Topic: Group 1 Presentation to the class

Friday:

Assignment Due:Mid-Term Evaluation.Submit a mid-term evaluation, approximately two double-spaced typed pages, which outline: (a) what skills you need to improve, (b) which areas need more explanation by the instructor, and (c) what goals you have set for the rest of the semester.

**Week Eight (Week of March 8th)**

Tuesday:

Topic: Affordable Housing

Reading: TBA

Thursday:

Topic: Group 2 Presentation

ALACHUA COUNTY COURT AT NOON

Friday:

Assignment Due: Prepare memos summarizing progress of each assigned case.

Assignment Due: Create reading list for capstone project, submit planned reading list.

**Week Nine (Week of March 15th)**

Tuesday:

Tentative Guest Speaker: Judge Meshon Rawls

Thursday:

Read: [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))

COURT AT 9:30

**Week Ten (Week of March 22nd)**

Monday:

Group 1 Student presentation via Zoom to College of Education students (1:55 – 3:30); Overview of the dependency system with an emphasis on disproportionate minority contact in the child welfare and juvenile justice system

Tuesday:

Guest Speaker: TBA, Compassion Fatigue

Thursday:

Topic: Group 3 Presentation to the class (presentation date and topic TBA)

**Week Eleven (Week of March 29th)**

Monday:

Submit your written Capstone Project and/or a draft of your PowerPoint Presentation

Tuesday:

Topic: Medical Diagnosis of child abuse

Guest Speaker: Dr. Zeretzke-Bien, medical director of the Sexual Assault Nurse Examiners (SANE) program and pediatric emergency medicine physician

Reading: TBA

Wednesday:

Group 2 Student Presentation: Juvenile Law; Protecting Children Online

Thursday:

Topic: Case Rounds

Submit March journal entries

**Week Twelve (Week of April 5th)**

Tuesday:

Tentative Guest Speaker: Jeff Grater, former director of the UF Law Family Law Clinic

Topic: Chapter 61; Time Sharing in Child Custody Cases

Reading: TBA

Thursday:

Lecture Topic: Case Rounds

Friday:

Assignment Due: Draft of Case Transfer Memos.

**Week Thirteen (Week of April 12th)**

Monday:

COURT IN GILCHRIST COUNTY at 9:40 AM

Tuesday:

Topic: Guest Speaker, TBA

Thursday:

Semester Wrap Up

Friday:

End recording office hours

**Week Fourteen (Week of April 19th)**

Monday:

LEVY COUNTY COURT at 9:40 AM

Submit Looking Back Paper (information on Canvas). Please include relevant journal information for April in the paper. You can include this within the body of the paper or as an addendum at the end of the paper.

Submit final transfer memos