LAW6940: Civil Clinic

Juvenile (9 credits), Fall, 2019

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**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. We 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 Wednesdays after our scheduled class time. You are welcome to 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://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:**

CLASS MEETING TIMES & LOCATION

Classes will be generally held on Tuesdays, Wednesdays, and Thursdays from 1:00 pm - 2:50 pm. The location will be announced at the start of the semester. There are some weeks where you will not meet with me but will instead meet with your Team. These meetings are included on the syllabus. Please note that you will be meeting with your Team far more often than what is listed, however I’ve outlined specific work to do on the listed dates.

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

*Florida Rules of Judicial Administration and Juvenile Procedure, 2019 Edition (required)*

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

*Florida Juvenile Law and Practice, Fourteenth Edition (recommended)*

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 27 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: These meetings will be held on Tuesdays, Wednesdays, and Thursdays from 1:00 pm – 2:50 pm. 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 grand rounds, additional skills training, presentations by invited guests, discussion of hot topics and court house and jail visits.
* Office Hours: You must set aside at least fifteen hours per week to be in the office. Your office hours must be distributed over at least four days. Our cases are somewhat unpredictable, and we have busy times and slow times. It is not unusual to spend more than fifteen hours in the office. Class time does not count as an office hour.
* Other Events: Court hearings, staffings, educational meetings, and some client appointments are often scheduled at odd and unpredictable times. These 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. Bring your files (in up to date, working order) to all Team Meetings. 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;
* Maintaining regular office hours in the Clinic Suite;
* Proper management of client files, both hard files and Clio files; and
* Professional representation of clients at all times.

FIRST WEEK ASSIGNMENTS

In preparing for your semester as a Certified Legal Intern, you should begin by reviewing and completing the First Week Assignments.  Please review the assignments carefully and pay attention to the dates as some of the assignments are due later than others.  In addition, I have included readings and materials to assist you in becoming familiar with issues that are ripe and relevant in the area of law you will be immersed in throughout the semester, rules that will govern your behavior as you begin practicing law under your certified legal intern status, and standards for interviewing and counseling child clients.

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 7 drafting assignments for Ashley Boyle. 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.

**First** **Case Analysis.**I will assign each student a case to review and analyze.  Follow the [First Case Analysis Instructions](https://ufl.instructure.com/courses/347538/files/35649741/download?wrap=1)as you begin to analyze the assigned case.  You will be required to prepare a written summary of your findings.  This summary will be the outline that you will use to present your case during the Grand Rounds.

**Reflection Papers**. You will be asked to reflect on experiences throughout the semester. You will have the opportunity to choose three experiences upon which you will elaborate on what you learned and observed. One paper must focus on an experience with a client in which you intentionally utilized specific interviewing or counseling techniques.

**Journal Entries/Guest Lectures.** For each guest speaker, you are required to turn in a short journal entry explaining how the presentation tied into something you are working on in one of your cases. If you are unable to find something to tie into your case, you can use another case in the clinic, or, if needed, you can ask me for a more specific issue to tie into your entry. These entries are due 48 hours after the guest lecture.

**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.

 **Portfolio.**At the end of the semester you must submit a collection of the work that demonstrates what you have done and learned throughout the semester. The portfolio should include, but is not limited to, written assignments, reflection papers, research assignments, class discussion notes, self-evaluation, and GTC accomplishments.

You will need a *LAPTOP* *COMPUTER* and a *WEB CAMERA* (either built into the laptop, or stand-alone), with software that allows you to record video to your laptop using the web cam. This will be used to record your performances so you and your professor can review them. You will also need high speed Internet for the streamed videos to play correctly.  Before your clinic semester starts, please make sure your equipment works.

EXPECTATIONS

We 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. We 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/

ONLINE COURSE EVALUATIONS

Students are expected provide feedback on the quality of instruction in this course by completing online evaluations at [https://evaluations.ufl.edu (Links to an external site.)Links to an external site.](https://evaluations.ufl.edu/).  Evaluations are typically open during the last two or three weeks of the semester, but 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/ (Links to an external site.)Links to an external site.](https://evaluations.ufl.edu/results/).

COURSE ETHICS

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. 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 your professor. The student honor code can be located at [https://www.dso.ufl.edu/sccr/process/student-conduct-honor-code/ (Links to an external site.)Links to an external site.](https://www.dso.ufl.edu/sccr/process/student-conduct-honor-code/).

Specific to the SKILLS component, because we use so many role play exercises, there are many opportunities to game the system. For example, we know of instances in which students have traded role play instructions to make the exercise "easier" and the students appear better prepared. If you read any confidential instructions than your own, or access any other information regarding the SKILL component exercises during this or earlier semesters, we consider this to be an honor code violation.

If you obtain the wrong instructions for a role play, notify your professor **immediately** so the problem can be corrected.

No matter what you do in your future legal life you will use the essential skills of client interviewing and counseling. It takes years of practice to master the science and art of these skills, but you can learn the essentials in a relatively short time.

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.

**Week One**

*Tuesday (8/27) Live Class and Assignments Due*

Assignments Due: [6 Questions Related to Delinquency & Dependency](https://ufl.instructure.com/courses/361513/assignments/3720347)

Assignments Due: [Semester Goals](https://ufl.instructure.com/courses/361513/assignments/3720392)

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

*Wednesday (8/28) Live Class and Assignments Due*

 [Introduction to GTC](https://ufl.instructure.com/calendar?event_id=743647&include_contexts=course_361513)

Assignments Due:  [Resume](https://ufl.instructure.com/courses/361513/assignments/3720389)

Read Chapter 3, *Representing Children in Dependency and Family Court* [and *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)article

*Thursday (8/29) Meet with Group*

Attend Dependency Court for at least one hour sometime between 8:30 – 12 or 1:30-2:30

Assignments Due: [Case Assignment Survey](https://ufl.instructure.com/courses/361513/assignments/3720355)

Read [Alleged rape in Germany sparks debate on lowering age of child criminality](https://www.cnn.com/2019/07/10/europe/german-sex-offense-child-criminal-responsibility-intl-grm/index.html)

*Friday (8/30) Specially set class time TBD*

 [GTC Office & Technology Orientation(time TBD)](https://ufl.instructure.com/calendar?event_id=743672&include_contexts=course_361513)

**Week Two**

*Tuesday (9/3) Live Class and Assignments Due*

 [Delinquency Process: Arrest, Detention Hearings, and Diversion](https://ufl.instructure.com/calendar?event_id=743665&include_contexts=course_361513)

Assignments Due: [Dependency Statute Review](https://ufl.instructure.com/courses/361513/assignments/3720370)

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

*Wednesday (9/4) Meet with Group and Assignments Due*

Attend at least one hour of delinquency court from 9 – 11 or 1:30-3:30

Assignment due [First Case Analysis Dependency Cover Sheet](https://ufl.instructure.com/courses/361513/files/41468669/download?wrap=1), and if applicable, [First Case Analysis Delinquency Cover Sheet](https://ufl.instructure.com/courses/361513/files/41468672/download?wrap=1)

Meet with group to prepare presentation on 1st case assignment. Presentation should be 15-20 minutes and may include a handout or PowerPoint. The goal of the presentation is to get the team up-to-speed on your first case.

*Thursday (9/5) Live Class and Assignment Due*

[Dependency Process: Shelter Hearing and Disposition Hearing.](https://ufl.instructure.com/calendar?event_id=743661&include_contexts=course_361513)

[Dependency Process: Judicial Review and Permanency Hearings.](https://ufl.instructure.com/calendar?event_id=743666&include_contexts=course_361513)

[Sealing & Expunging Records](https://ufl.instructure.com/calendar?event_id=743656&include_contexts=course_361513)

Dependency Statute Review Due

*Friday (9/6) Assignments Due*

Assignments Due: [Ashley Boyle Motion Assignment #1](https://ufl.instructure.com/courses/361513/assignments/3720354)

[Ashley Boyle Assignment #2](https://ufl.instructure.com/courses/361513/assignments/3720348)

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

Read Chapter 6 and 10, *Representing Children in Dependency and Family Court*

**Week Three**

*Tuesday (9/10) Live Class and Presentation Due*

 [Motion Practice: Introduction to the Court, Notice of Appearance, Consent to Represent CLI](https://ufl.instructure.com/calendar?event_id=743648&include_contexts=course_361513) to Represent CLI

 Present your group’s first active case

Identify and review relevant statutes

*Wednesday (9/11) Meet with Group, Assignments Due*

Assignments Due: [Ashley Boyle Assignment #3](https://ufl.instructure.com/courses/361513/assignments/3720349)

[Ashley Boyle Assignment #4](https://ufl.instructure.com/courses/361513/assignments/3720350)

Small group work – review your group’s next two case assignments and prepare presentations

*Thursday (9/12) Live Class*

[Delinquency Process: Arrest, Detention Hearings, and Diversion](https://ufl.instructure.com/calendar?event_id=743665&include_contexts=course_361513)

[Delinquency Process: Pleas, Adjudicatory Hearings, Disposition and Commitment](https://ufl.instructure.com/calendar?event_id=743649&include_contexts=course_361513)

Guest Speaker: R. Shinholser/R. Walker

*Friday (9/13) Meet with Group*

Prepare off-site presentations, create a PowerPoint and notes for my review by 9/16.

**Week Four**

*Monday (9/16) Courthouse visit with Magistrate Wilkov at 1 PM*

*Tuesday (9/17) Live Class*

Guest Speaker – Maria Catsikopoulos

Read Chapter 11, *Representing Children in Dependency and Family Court*

*Wednesday (9/18) Live Class*

Case Rounds/Student Case Presentations

Read Chapter 12, *Representing Children in Dependency and Family Court*

*Thursday (9/19) Meet with Group*

Work on group presentations; discuss cases.

*Friday (9/20) Assignments Due*

[Ashley Boyle Assignment #5](https://ufl.instructure.com/courses/361513/assignments/3720351)

 [Ashley Boyle Assignment #6](https://ufl.instructure.com/courses/361513/assignments/3720352)

 [Ashley Boyle Assignment #7](https://ufl.instructure.com/courses/361513/assignments/3720353)

**Week Five**

*Tuesday (9/24) Live Class*

[Motion Practice: Motion to Continue, Notice of Discovery, Plea Petitions, & Colloquy](https://ufl.instructure.com/calendar?event_id=743675&include_contexts=course_361513)

Guest Speakers: Danielle Eisenminger and Susan Sheehan

*Wednesday (9/25) Live Class*

Group One Presents *Children’s Privacy Rights on Social Media to Our Class*

*Thursday (9/26) Meet with Group*

Small group work - Create a flow chart that outlines your dependency cases from shelter to its current state. Be sure to identify adjudication, case plan goals, changes of placement, and Judicial Review/permanency hearings. Turn in the outlines by Friday morning.

\*\*\*Hold for possible meeting with Judge Rawls

*Friday (9/27) Assignment Due*

Group 1 Off-Site Presentation at 10 AM. *Children’s Privacy Rights on Social Media*

**Week Six**

*Tuesday (10/1) Live Class*

Class led by Cynthia Yanez

*Wednesday (10/2)*

TBD

*Thursday (10/3) Live Class*

[Motion Practice: Notice of Hearing, and Notice of Filing](https://ufl.instructure.com/calendar?event_id=743664&include_contexts=course_361513) (and more)

**Week Seven**

*Tuesday (10/8) Live Class*

Guest speaker: Amanda Harrell, Guardian ad Litem

*Wednesday (10/9) Live Class*

Case Rounds. Be prepared to update your classmates on your files. Create a handout or PowerPoint.

*Thursday (10/10) Team Meeting*

Discuss current firm clients; prepare to present your cases to the class

*Friday (10/11) Assignment Due*

[Mid Term Paper Due](https://ufl.instructure.com/courses/361513/assignments/3720385)

**Week Eight**

*Monday (10/14) Specially Set Class, 1 PM*

Guest speaker: Joy Gabrielli, PhD

*Tuesday (10/15) Live Class, Presentations Due*

Group Two presents *Understanding the Rules of Evidence in Child Abuse Cases* to the class

*Wednesday (10/16) Live Class, Presentations Due*

Case Rounds/Case Presentations/Updates

*Thursday (10/17)*

TBD

**Week Nine**

*Tuesday (10/22) Live Class*

Group three presents *Overview of Dependency and Delinquency Law* to the class

*Wednesday (10/23) Live Class, Assignment Due*

 Guest Speaker – Corrine Edwards

[Interviewing Children Assignment - Work with your group to answer these questions](https://ufl.instructure.com/courses/361513/assignments/3720378)

*Thursday (10/24)*

TBD

**Week Ten**

*Tuesday (10/29) Live Class*

Substantive Area Juvenile Law: Special Education Advocacy

Guest Speaker: Nancy Wright

*Wednesday (10/30) Live Class*

Group Three Offsite presentation*, Overview of Dependency and Delinquency Law, at 4;05 in Norman Hall*

*Thursday (10/31)*

TBD

**Week Eleven**

*Monday (11/4) Specially Set Class 1 PM*

Guest speaker: Joy Gabrielli, PhD

*Tuesday (11/5) \*\*\* 9 AM\*\*\*\*\* Live Class, special time*

Guest Speaker, Marci Silver

*Wednesday (11/6)*

TBD

*Thursday (11/7) Meet with Group, Assignment Due*

Small Group Work

[Interviewing & Counseling Children in Delinquency Cases Assignment](https://ufl.instructure.com/courses/361513/assignments/3720378)

*Friday (11/8) Assignments Due*

Group 2 Off-Site Presentation at 10 AM. *Understanding the Rules of Evidence in Child Abuse Cases*

[Draft of Transfer Memos Due](https://ufl.instructure.com/courses/361513/assignments/3720394)

**Week Twelve**

*Tuesday (11/12) Live Class*

Case Rounds

*Wednesday (11/13) Live Class*

Dr. Jennifer Sager

*Thursday (11/14) Meet with Group*

Review transfer memos with your group; give substantive written feedback to partners and turn in copy of memos with comments included

**Week Twelve**

*Tuesday (11/19)*

TBD

*Wednesday (11/20) Live Class, Presentation Due*

Case Rounds – Interview classmate and present on a case that is not from your group.

*Thursday (11/21) Assignments Due*

No Class

[Looking Back Paper](https://ufl.instructure.com/courses/361513/pages/looking-back-paper-issues-to-address)

[Self-Evaluation](https://ufl.instructure.com/courses/361513/assignments/3720391)

**Week Thirteen**

Set up time to meet/Skype with me with your group to review transfer memos.

**Week Fourteen**

*Monday (12/2) Assignments Due*

[Portfolio Due](https://ufl.instructure.com/courses/361513/assignments/3720375)

[Final Transfer Memos Due](https://ufl.instructure.com/courses/361513/assignments/3720394)