LAW6940: Civil Clinic

Juvenile Law and Policy Clinic (3 credits), Fall 2022

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Welcome to Gator TeamChild Juvenile Law and Policy Clinic! Like an apprenticeship, you will learn and enhance lawyering skills while simultaneously representing clients. 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 on Thursdays from 8-9 and 11-12 and on Tuesdays online from 9-12. You are also 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

Students are permitted to miss two class periods, but it may be detrimental to our clients. You will be representing real people and appearing in court. Class time will be used to prepare you to provide competent representation.

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.)

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 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

*Readings made available on Canvas and other links*

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 9 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 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. These hours can include outside of class guest lectures, court hearings, staffings, educational meetings, client appointment, class readings, projects, and assignments.
* 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. Students are expected to spend at least seven hours on this course each week in addition to the two hours of classroom time.

**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**.

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

* Attendance at allhearings, depositions, negotiation conferences, client meetings, and other client events at which you are primary counsel.
* 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 always.

WRITTEN ASSIGNMENTS

The clinic requires a fair amount of writing. 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.

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."

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 everyone 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 let me know if you can’t find or access a Podcast. I listen with Apple Podcasts, but other sources for podcasts should carry them as well.

**Week One (Week of August 22th)**

Begin recording office hours on a sheet of paper until you have access to CLIO, then record office hours in CLIO.

Watch: Onboarding video #1

Read: Florida Guidelines Of Practice For Lawyers who Represent Children in Abuse and Neglect Cases <https://www-media.floridabar.org/uploads/2017/04/legalneedsofchildren-dependency.pdf>

Lecture Topic: Gator TeamChild: Overview of the Clinic Experience; The Dependency Court Process; How to Review Docket Lines

**Week Two (Week of August 29th)**

Watch: Onboarding video #2 and 3

Read: The Interplay of Law and Social Work by Mary Shelton, available at <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3595370> (download/open the paper)

Lecture Topic: Guest Speakers, Cynthia Yanez and Heather Flynn. Office policies and procedures, the role of social work in lawyering

Assignment Due by Friday at 5 PM via email: Technology Assignment

**Week Three (Week of September 5th)**

Thursday:

Read: Read docket lines of MC’s case

Listen to: Education Law <https://podcasts.apple.com/us/podcast/suffolk-university-law-school-podcasts/id331007670?i=1000524296748>

U.S. Supreme Court Case Endrew F. v. Douglas County School District <https://podcasts.apple.com/us/podcast/lets-talk-sped-law/id1500200391?i=1000502466274>

Lecture Topic: Special Education Law; Case Rounds

**Week Four (Week of September 12th)**

Wednesday: TG continued arraignment in Bradford County at 10:10

Read: Read docket lines of TG’s case

Listen to: Sexual Behavior in Youth: What’s Normal? What’s Not? And What Can We Do About It? <https://podcasts.apple.com/us/podcast/one-in-ten/id1462683950?i=1000540896560>

Lecture Topic: Overview of Delinquency Process; Case Rounds

**Week Five (Week of September 19th)**

Guest speaker: Judge Meshon Rawls

**Week Six (Week of September 26th)**

Lecture Topic: Court observation in Alachua County

**Week Seven (Week of October 3rd)**

Thursday: Field trip to the Child Protection Team

**Week Eight (Week of October 10th)**

Lecture Topic: Field trip to the Alachua Academy

Assignment Due: Choose research topic for presentation (more information to be provided in October)

**Week Nine (Week of October 17th)**

Monday: CD Judicial Review at 9:30 in Levy County

Read: Florida Statute 39.806

Lecture Topic: Case Rounds

MC – TPR advisory hearing at 1:40

Assignment Due: Think about how you would rule on the TPR in MC’s case. Draft a short memo identifying whether the grounds alleged in the TPR petition are met. Cite at least three relevant Florida cases, and be sure to also discuss manifest best interest.

**Week Ten (Week of October 27th)**

Prepare for Class Presentation

No formal class (I may post a lecture for you to watch)

**Week Eleven (Week of November 3rd)**

Prepare for Class Presentation

No formal class (I may post a lecture for you to watch)

**Week Twelve (Week of November 7th)**

Class Presentations

**Week Thirteen (Week of November 14th)**

Class Presentations/Class Wrap Up