

Clinical Legal Education **GUIDE**

YOUR GUIDE TO CLE COURSES OFFERED BY AUSTRALIAN UNIVERSITIES IN 2009 AND 2010



THE UNIVERSITY OF
NEW SOUTH WALES
KINGSFORD LEGAL CENTRE

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INTRODUCTION & FOREWORD



Welcome to the ninth edition of the Clinical Legal Education Guide to courses offered in Australian Universities.

This edition describes the variety of clinical legal education courses offered in Australian Universities and the addition of some new programs at established clinics. Indeed, the breadth of courses available to students is very encouraging, particularly work with Indigenous students and communities and in specialised areas such as community development and human rights.

In this edition we have included a section on research undertaken by clinicians in the past couple of years, the breadth of which is extensive. We hope this will provide an easy guide to some of the key issues being examined in clinical legal education in Australia currently.

Clinical legal education continues to be very popular with a variety of law students who enjoy the opportunity to gain some practical experience as well as reflecting on the law and legal system as they operate in the lives of disadvantaged clients. The advantages to the students and communities in offering clinical legal education programs include a renewed commitment by students to critically analyse the law, as well as engage in some form of community service in the future.

We hope to see a growth in clinical legal education over the life of this publication and that this guide makes a positive contribution to this goal.

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AUSTRALIAN NATIONAL UNIVERSITY

DETAILS

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Brief Overview

In 2009/10, the ANU College of Law will provide undergraduate clinical and placement programs and clinical options for students undertaking the Graduate Diploma of Legal Practice.

Undergraduate Clinical Courses

These courses have the following common objectives:

- to contextualize the study of law and student learning in a wide range of other courses
- to guide and support students in identifying, developing and applying ethical legal practice skills
- to develop students' critical understanding of approaches to legal practice, the roles of lawyers in relation to individual clients and social justice issues
- to encourage and validate student aspirations to promote access to justice and equality before the law

Program/Course 1: Clinical Youth Law Program

This course, open to later year law students, is based around student participation at the Youth Law Centre ACT (YLC).

The key features:

- 2 semester long courses a year, worth 6 units
- maximum of 10 students per course
- three assessable elements: onsite work, seminar contributions and research project
- students work as supervised paralegals for 12 half days starting in week 2. Students also undertake community legal education including outreach visits.
- the seminar program includes a compulsory 2 day orientation and weekly workshops averaging 2 hours throughout the course. The program includes visits to locations such as ACT Legal Aid, ACT Magistrates Court, ACT Community Legal Centres, Aboriginal and Torres Strait Islander Legal Service
- the research project aims to make a practical and strategic contribution in relation to a youth justice issue, the operation of the YLC and/or the Clinical Youth Law Program.
- students are supervised and mentored onsite by solicitors working at the YLC i.e. solicitors from ACT Legal Aid and Clayton Utz
- each student participates in a mid-course and end-of-course discussion about performance with the onsite Coordinator and the Course Convenor.

Contacts: Coordinator: Colleen Duffy (contact via Youth Law Centre) and Judy Harrison, Course Convenor (contacts above)

Additional information: The Youth Law Centre ACT provides legal advice and referral to young people aged 12-25 years in the ACT. Legal issues include: debt, car accidents, consumer, employment, domestic violence, criminal and traffic charges. Web: www.youthlawact.org.au

australian national university cont'

Program/Course 2: Community Law Clinical Program

This elective course, open to later year law students who have completed Property Law and Administrative Law, is based around student participation at the ACT Welfare Rights and Legal Centre.

Key features:

- 12 week course worth 12 units
- 2 courses a year, offered in 1st and 2nd semester
- maximum of 8 students per course
- students undertake 2 full days onsite each week for 11 weeks
- students are supervised onsite by Welfare Rights caseworkers and solicitors and each student is allocated client files and undertakes casework, telephone advice and reception duties.
- students receive continuous feedback and participate in a mid course feedback meeting
- the concurrent seminar program consists of a compulsory 2 day orientation and one 2 ¼ hr seminar each week.
- students are assessed on quality of onsite work; seminar participation and a final reflective presentation relating to a legal topic arising from their work during the program.

Additional information: Welfare Rights and Legal Centre is a free Community Legal Service for low income earners in the ACT and surrounding region. The day time service provides telephone advice, information, assistance and representation in: social security; public and private tenancy; and disability discrimination law.

Contact: John Alati, Solicitor / Clinical Legal Education Coordinator, Welfare Rights and Legal Centre, ph: (02) 6257 2931 Email: John_Alati@clc.net.au

Web: <http://www.welfarerightsact.org/>

Program/Course 3: Undergraduate placement programs

1. Law Internship

This elective 6 unit course has an intake in semesters 1, 2 and summer which is open to later year law students with a credit average or better. Students undertake a project of practical utility to an external workplace which includes special internships with the National Europe Centre, the Centre for International and Public Law and the Military Law Centre. Students are mentored by a nominated workplace supervisor and also receive academic supervision.

Each year some students undertake projects to assist with submission making / advocacy by NGOs representing disadvantaged groups in the community and/or working on public interest issues. Recent examples include National Judicial College of Australia; Department of Foreign Affairs; Commonwealth Attorney-General's Department; The Justice Project - Victoria; Human Rights and Equal Opportunity Commission; Civil Liberties Australia; OECD, Paris; Welfare Rights and Legal Centre About 35 students undertake the Law Internship Program each year.

Contacts: The Program is convened by Peter Ford. Contact: 0437110001 Email: FordP@law.anu.edu.au

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2. Student placements in Native Title Representative Bodies

Students with a strong academic record may apply to undertake short-term, voluntary work experience placements with Native Title Representative Bodies (NTRBs) and other Indigenous organisations. There are intakes during the summer and winter university breaks and airfares (where relevant) and accommodation costs are covered.

Summer and winter internships run for 6 weeks but longer placements may be available. Applications open each March and August. These placements may qualify for course credit as an ANU Law Internship (if primarily research based) or as legal practice experience in the ANU Graduate Diploma of Legal Practice (if primarily legal practice based).

Further information: This placement program is part of a joint project in which the ANU is involved with Law Schools at UNSW and Monash University. The project aims to improve the quality of professional support for lawyers in NTRBs. One strand involves improving the profile of NTRB work among later year law students and recent graduates, including through facilitating student placements.

Placement of ANU students in this program is coordinated by Matthew Zagor at the College of Law. Contact: Matthew Zagor, ph: (02) 6125 4911 Email: ZagorM@law.anu.edu.au

Program/Course 4: Clinical in the Graduate Diploma of Legal Practice

The ANU Legal Workshop provides practical legal training leading to the award of a Graduate Diploma of Legal Practice (GDLP). Students can start the GDLP before completing their LLB although most start after completing their LLB. The GDLP begins with the compulsory Skills for Practice intensive which is offered in locations around Australia. The GDLP involves Coursework and Legal Practice Experience (LPE). LPE has two elements i.e. placement (20, 40, 60 or 80 day options) and LPE Online (structured course involving small group discussion and collaboration) which are undertaken concurrently. This combination enhances reflection and skills development.

1. Legal Practice Experience in the GDLP

Key features:

- the Legal Workshop Placements Coordinator assists to establish placements
- students are in each Australian jurisdiction and some undertake their placement in approved workplaces overseas
- using an externship model, students are guided during LPE by their onsite supervisor and by their Legal Workshop mentor
- the mentor maintains contact with the student by telephone and email while the student is onsite
- at completion the student and their onsite supervisor provides a written report which includes the student's progress and competency against a checklist of legal practice skills.

Placements in Community Legal Centres in regional, rural and remote areas

The Legal Workshop is currently undertaking a project in collaboration with the National Association of Community Legal Centres to encourage and assist GDLP students to undertake legal practice experience in a RRR CLC. The project includes special assistance to arrange and sustain placements. For further information see the information on the web at: <http://law.anu.edu.au/legalworkshop/clcrrr.asp>

Contacts: Rose Coppin, Legal Workshop GDLP Placements Coordinator: (02) 6125 9234 6125 9234 email: CoppinR@law.anu.edu.au and Margie Rowe, GDLP Program Sub-Dean, Students (02) 6125 4424 Email: RoweM@law.anu.edu.au

australian national university cont'

2. Legal Aid Clinical Program

ANU GDLP students can undertake the Legal Aid Clinical Program (LAC) as part of their Legal Practice Experience (LPE). This program has been provided by the Legal Workshop in partnership with ACT Legal Aid since 1997. Students working in the program assist to provide free legal advice and short assistance. During the program most students also accompany Legal Aid solicitors working in the criminal duty list at the ACT Magistrates Court, the Legal Aid Domestic Violence Service, Family Court / Federal Magistrates Court and the Children's Court.

Key features:

- LAC runs between February-May and July-November with about 40 student places.
- students complete a compulsory orientation workshop before starting onsite.
- students choose 4 or 8 day options consisting of one day a week for the relevant number of consecutive weeks. Onsite, students undertake a selection of activity streams that must include one day of client interviewing.
- each student day onsite finishes with a group workshop to consolidate learning.
- supervision and mentoring is provided by solicitors who are Legal Workshop Instructors and by ACT Legal Aid solicitors.
- the LAC program is the main way that ACT Legal Aid provides free initial legal advice at its Civic office in non-criminal matters.
- Client matters include family law, civil claims, consumer complaints, compensation, and discrimination.

The LAC Program Coordinator is Judy Harrison (contacts above). The other Legal Workshop Instructors who work in the program are: Peter Sutherland, Margie Rowe, Tony Foley, Vivien Holmes, Roberta McRae, Tony Cibiras and Anne MacDuff.

DETAILS

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Brief Overview

Deakin University runs a unit called Law Clinic MLL351 for approximately 20 students each trimester. The unit is conducted at the Western Suburbs Community Legal Service, the Geelong Community Legal Service, South West Community Legal Centre, Youth Law, Job Watch, and Victoria Legal Aid Geelong with students attending over one trimester.

Program/Course 1: Law Clinic MLL351

Students are engaged in the following areas of work:

- matters including criminal law, social security law, victims compensation, disability law and civil matters, especially debts and motor vehicle accidents.
- research in the areas of crime compensation, child support and social security law
- attending courts and tribunals with lawyers
- they write letters, prepare legal documents and advice for clients and conduct negotiations under the supervision of the Principal Solicitor at the legal service.

The object of the course is to enable students to develop practical legal skills in a community legal centre environment. The Principal Solicitor at the legal service conducts the direct teaching in the course and the supervision of student files.

Students are graded on a fail to high distinction scale. Grades vary according to the skills of students in taking instructions from clients, discussions with the tutor, "follow up work" such as initiative, research, strategy, written communications with clients and maintenance of files. Marks are also awarded on "general" matters such as the student's professional attitude and sensitivity to clients' needs. The assessment is made up of Clinical performance 70% Student Journal 30%

The program is based on an intensive model, with students conducting interviews and ongoing casework under the supervision of Legal Service solicitors. The types of matters students will work on include family law, child support and a range of general and civil law areas.

The overall aims of the Unit can be summarised as:

- To contribute to the service delivery capacity of the organisation, including provision of information, advice and casework to clients and to legal education and law reform projects and strategies.
- To provide students with a professional practice experience in a community law environment, contributing to their development of good lawyering skills.
- To provide an opportunity for students to critically analyse and reflect upon issues of access to justice and equity within the legal system and the impact of these on social justice.

deakin university cont'

The CLE program is made up of various modules, focusing on practical learning methods, complemented by theoretical components. These include Advocacy and Negotiation, Communication, Community Law, File Management, Legal Resources, Research and Referrals, Office and Administrative Procedures and Writing Legal Documents. The theoretical components of the program will be provided by the Legal Service, Deakin staff and guest speakers. Students will also have the opportunity to be involved in law reform and/or community legal education projects.

DETAILS

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Please note: Rachel Spencer is leaving Flinders at the end of June 2009. For further information, please contact the Dean of the School of Law, Prof David Bamford on 08 8201 3884.

Brief Overview

Flinders University offers three different clinical placements for students enrolled in the topic Community Legal Practice. Some students are placed with external agencies, others participate in the Magistrates Court Legal Advice Service which is operated by both Flinders University & the University of Adelaide.

Flinders University offers three different clinical placements for students enrolled in the topic Community Legal Practice. Students may be placed at the Tenants Information and Advocacy Service (TIAS); at the Australian Refugee Association (ARA) or at the Adelaide Magistrates Court Legal Advice Service (MCLAS) where students provide assistance to unrepresented parties involved in litigation in the Minor Civil Claims jurisdiction of the Adelaide Magistrates Court.

This topic is quite separate from the Practical Legal Training program which is also offered by Flinders. There is a quota of 14 students for the topic which is offered each semester, and also over the summer. In order to be placed at the Magistrates Court Legal Advice Service, students must have completed or be concurrently enrolled in the courses Civil Litigation and Evidence in order to qualify for enrolment. Enrolment is by application. Students wishing to be placed at ARA will be given preference if they have completed the elective topic Immigration Law. Priority is given to students who have completed the elective topic Housing Law if they wish to be placed at TIAS.

Students attend one of the clinics one day per week. They are also expected to observe court and tribunal hearings and work on a justice access project in that time. All placements are off-campus.

The MCLAS operates independently of the court, although it has the full support and cooperation of the Magistrates Court and the Courts Administration Authority. The clinic operates one day per week at Adelaide and one day per fortnight at Holden Hill. Students interview clients, assist with drafting letters and pleadings, advise on the law, and assist to evaluate alternative dispute resolution options for clients. Students are supervised at all times by a lawyer. This collaboration between schools and with the Magistrates Court is the first such Court-based initiative in Australia. As the clinic has a self-help focus; its aim is to empower clients to manage their own cases effectively. The court, magistrates, registrars, and registry staff, who cannot provide legal advice, have an independent service to which litigants can be referred. The court also benefits from the capacity of parties to come to court with their cases clearly organised.

Students at ARA and TIAS are involved in similar activities under supervision.

Prior to commencing their placement, students attend a training day (covering ethics, interviewing, dealing with clients and other practical matters). Students must also attend a series of six seminars during the topic where they consider issues of justice access and law in society, and examine ethical issues and the concepts of professionalism and client-centred practice.

GRIFFITH UNIVERSITY

DETAILS

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Brief Overview

Program

The Clinical Program at Griffith Law School (GLS) works on a partnership model whereby our students undertake all (except one) of the offered courses at external agencies including community legal centres, Legal Aid Queensland, government agencies, courts, private law firms and barristers. The exception is the in-house Innocence Project which operates through a special partnership with a private legal firm.

The program has developed and expanded over the 14 years of its operation to become distinctively diverse. The students have to be towards the end of their studies – usually 4th and 5th years. They can choose between ‘poverty law’ clinics in community legal centres or more specialised clinics including ADR and refugee law. They can also opt for an individual placement in a variety of legal environments through our Semester in Practice course.

Common Objectives

The Griffith clinical courses share a number of common objectives:

- to provide a practice-based experience designed to encourage students to take responsibility for their work and to reflect on their experiences;
- to develop students’ critical understanding of the legal system and the roles of lawyers within that system; and
- to develop and refine legal skills considered elsewhere in the Griffith law program, complementing the range of courses and teaching methods used.

The clinical program provides a practical way to extend into elective courses the skills and understandings incrementally developed in core courses through the ‘Vertical Subjects’ which are embedded in the Griffith Law Program. Group work, ethics, legal theory and generic and legal skills are practised, discussed and reflected upon regularly in a clinical environment. Opportunities to observe issues relevant to internationalisation and Indigenous awareness are also likely to arise.

Program/Course 1: Advanced Family Law Clinic

Griffith Law School operates this course in partnership with Caxton Legal Centre with funding from the Commonwealth Attorney-General’s Department. The course is convened by Zoe Rathus and a GLS staff member supervises the participating students together with Caxton staff, including Jo Ho, an experienced family law practitioner. The placement occurs one day per week. The students provide advice to clients about family law. It may be early advice to a person thinking about separation or assisting in the preparation of court documents in on-going litigation for a self-representing litigant. Students must have completed the classroom-based Family Law course before they can participate in this clinic.

There is an introductory seminar at the commencement of the course, followed by a series of student-led seminars. They provide an opportunity to reflect on what they are learning about lawyering, clients (particularly those using a CLC), the legal system and family law in particular. Assessment is based on placement performance (60%), seminar participation and presentation (25%) and client representation at a Magistrates Court hearing (15%).

Program/Course 2: Alternative Dispute Resolution Clinic

This course has been operated with the Dispute Resolution Branch (DR Branch) of the Queensland Department of Justice and Attorney-General for more than a decade. The course benefits from the involvement of DR Branch staff including Lindsay Smith, the Executive Manager who works with Professor Jeff Giddings, the course convenor. The purposes of the course include enabling students to better understand the use of various forms of alternative dispute resolution in legal processes.

The course is taught by way of a one-week teaching intensive prior to the start of semester, involving mediation educators from the DR Branch. Pairs of students then participate in four-week placements (2 days per week) with the DR Branch, completing research and policy tasks, working in the Intake Section and observing mediations where possible. There are also fortnightly seminars at which students make presentations. Assessment consists of participation in the teaching intensive (20%), placement performance (50%) and seminar presentation and participation (30%).

Program/Course 3: Innocence Project

This clinical program is conducted by GLS academic Lynne Weathered at the Gold Coast campus, in conjunction with Nyst Lawyers. Students, acting under the supervision of the Director and on instructions from the lawyers, undertake research, investigate claims of wrongful conviction and utilise new evidence in an attempt to exonerate persons who have been wrongly convicted. All professional case management decisions are the responsibility of the lawyers involved. The course offers students an interdisciplinary perspective on the interaction between science, psychology and criminal law. It provides an international perspective on wrongful conviction.

The course commences with a 4 day intensive introduction and then students normally work in teams on cases that are allocated to them as the Project demands. Students are required to review police reports and trial transcripts, amongst other relevant documents or evidence. Students may have contact with clients. Assessment consists of individual project work (60%), documentary file management (30% - group mark) and reflection piece (10%). Contact for Innocence Project: Lynne Weathered, (07) 5552 8527 or L.Weathered@griffith.edu.au.

Program/Course 4: Legal Clinic

This course involves students working at Caxton Legal Centre one day per week. They interview and advise clients on a wide range of legal matters as well as preparing letters, court documents and other legal documents. Issues regularly arising include consumer protection, minor crime and traffic offences, neighbourhood disputes, family law, tenancy problems and debt. The course includes a short appearance in open court in the final week of semester.

griffith university cont'

The course is convened by Zoe Rathus and students are supervised by her or other Griffith staff and solicitors from Caxton, including Ros Williams, a solicitor with extensive CLC and clinic experience.

After an introductory small group, students participate in a series of seminars in which legal aid service delivery, ethical issues and lawyering skills are explored through student-led presentations. Assessment consists of 60% for the placement performance including client representation at a Magistrates Court hearing (60%), work on a community education project addressing a casework-generated issue (15%) and small group participation and presentation (25%).

Program/Course 5: Public Interest Lawyering

Public Interest Lawyering enables students to complete a placement with the Queensland Public Interest Law Clearing House (QPILCH). Griffith Law School was involved in the establishment of QPILCH, along with major law firms, Legal Aid Queensland, the Queensland Law Society and Queensland Bar Association. Students are supervised in their work by QPILCH staff member, Rebekah Leong.

Students are involved in the process of assessing applications for assistance received by QPILCH. They gather and consider materials then prepare recommendations for QPILCH staff in relation to these applications. A student-written article on the course was published in the February 2003 issue of the *Alternative Law Journal*. Students are also involved in group work on public interest law projects being conducted by QPILCH and member law firms and a series of seminars dealing with the practice of public interest law and pro bono delivery of legal services. Assessment consists of placement performance (50%), a joint project (30%) and seminar participation and presentation (20%).

Program/Course 6: Refugee Law and Policy Clinic

This course involves students in placements at the Refugee and Immigration Legal Service (RAILS). The students work with lawyers and migration agents in the conduct of legal work for people pursuing refugee status and family reunion claims. Students are supervised by RAILS lawyers, Robert Lachowicz and Marg Le Seuer and Professor Jeff Giddings convenes the course.

Students also undertake follow-up work during semester on claims and applications as selected by SBICLS. This includes research, gathering and collating of evidence, submission writing and client advocacy. Students are also involved in group work on refugee law projects as identified by RAILS. Assessment consists of placement performance (50%), work on joint projects (30%) and seminar participation and presentation (20%).

Program/Course 7: Semester in Practice

This course places students one day per week in a variety of workplaces suited to their particular learning objectives. It is offered in second semester. Sites include law firms, barristers' chambers, community legal centres, industrial relations consultants, consumer rights regulators and government departments. Students can usually choose a placement of significant interest to them – eg Prisoner's Legal Service, a criminal law barrister, a boutique family law firm. Students work closely with a designated host organisation supervisor. Supervisors and students receive placement manuals dealing with issues related to making the placements as productive as possible for all concerned.

The course includes a seminar series designed to compare and contrast the nature of the different host organisations with a view to considering the work lawyers do through readings and discussions. Placements are offered at both Brisbane and the Gold Coast and the convenors work together in the development of materials and course design. There is close liaison between the GLS academic staff and the placement supervisor including an on-site visit and regular telephone communication. Assessment consists of 50% for placement performance which is settled in consultation with the on-site supervisor, 35% for an assignment which requires a synthesis of the legal content knowledge gained and the contextual 'lawyering skills' learned and 15% for tutorial participation.

JAMES COOK UNIVERSITY

DETAILS

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Brief Overview

Final year law students participate in a semester long clinic with Townsville Community Legal Service Inc. The clinic operates with students interviewing and assisting clients during daytime and evening services. The numbers of students taken change from year to year and depend on the resources of TCLS. Students undertake 3 days of intensive lectures around legal interviewing, ethics and values, legal drafting and other lawyers' skills prior to starting client contact.

Program/Course 1: Clinical Legal Studies

TCLS is a non profit community based legal centre that has been providing services to the local North Queensland community since 1991. The Clinical program commenced in 1995 and has run annually since then. 8-12 Final Year Law Students attend a clinic at TCLS on a rostered basis throughout an academic semester. Students provide advice and casework at daytime and evening services. Students are assessed against client interviewing, file management and legal drafting skills. Students also submit a personal journal and undertake a research, community education or law reform project. Both are assessed. An overall grade is given to each student.

DETAILS

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Brief Overview

Clinical legal education at La Trobe dates back to 1978. Today the Law School places students with West Heidelberg Community Legal Service, Victoria Legal Aid and a range of not-for-profit and government agencies. These various arrangements enable students to provide service to the community whilst enriching their legal education through their practical experience. La Trobe's CLE programs have the following characteristics:

- Students interact directly with real clients in a lawyer/client relationship or, with agency staff, work with client groups on legal issues of public interest.
- Foster in students a deep understanding of the ethical and professional responsibilities of legal practitioners
- All students are supervised by a Law School staff member
- Students' clinical work is complemented and informed by classroom learning.

Program/Course 1: Legal Practice and Conduct – LAW2LPP (semester one) and LAW2LPP (semester two)

In this clinical program, students work at the local Preston office of Victoria Legal Aid under the supervision of Ben Walsh, lecturer (benedict.walsh@Latrobe.edu.au). Students run a clinic within the practice and are responsible for the conduct of the client files. They also work with the VLA lawyers on their client files and clerk for them in the duty lawyer service provided at the local Magistrate Courts.

What constitutes ethical legal practice is the theme of this unit. In the three areas of work, students have the opportunity to observe and are encouraged to reflect on how a practitioner's duties and ethics are relevant to daily legal practice as well as on the efficacy of law, the legal system, the legal aid system, the legal profession and the nature of justice. The context for this study is the issue of access to justice and recent reforms to the legal profession.

Program/Course 2: Clinical Legal Education – LAW2CLE (semester one) and LAW2CLE (semester two)

This unit involves students in delivering legal services at the West Heidelberg Community Legal Service under the supervision of Paghona Peggy Kerdo, lecturer (p.kerdo@latrobe.edu.au)

The focus of the unit is the practice of human rights law and implicitly, the legal needs of disadvantaged people. A major component of the unit is a clinical placement at the West Heidelberg Community Legal Service. Students are encouraged to reflect on the practice of law, the values, dynamics and effectiveness of the legal system, the role of lawyers in society, issues around access to justice and human rights and the potential of law to achieve justice for economically and socially disadvantaged people. There is a strong focus on the development of communication skills and ethical practice. The students also undertake either a major law reform project/report which is submitted to government and statutory bodies or participation in a community development project focussed on access to justice issues.

la trobe university cont'

Program/Course 3: Public Interest Law Practice LAW2PLP (semester one)

The aim of the unit is to give students the opportunity to experience law in practice (not necessarily 'legal practice' as conventionally defined) and to reflect critically on the work and obligations of lawyers, the operation of the legal system and the way in which law is practised in the public arena and/or in the public interest.

Students are placed with the outside agencies, usually not-for-profit or public interest (including government) for a day a week during semester as well as attending fortnightly seminars on campus. Students are supervised on site by staff of the host organisation and attend fortnightly supervision meetings with the Law School academic supervisor, Mary Anne Noone, Associate Professor (m.noone@latrobe.edu.au). The seminars provide the opportunity for students to identify and discuss issues of common interest and encourage them to learn from their own and others experiences.

Program/Course 4: Rural and Regional Issues in Justice LAW2RRJ (semester two 2007)

The aim of this unit is to allow Bendigo based second year students to experience law in practice by placement in community legal centres and legal aid organisations one day a week. The unit particularly focuses on rural and regional issues and the seminar program covers topics such as Interviewing, Drafting, the Legal Aid System and its law, Intervention Orders and Family Violence, and Residential Tenancy Law. Students from the Law School work under the supervision of Fran Gibson, senior lecturer (frances.gibson@latrobe.edu.au) and there is a supervisor with the host agencies.

Other related programs

Judicial Mentoring Program (semester one and two)

Another aspect of the clinical legal education program is the Judicial Mentoring Program. The aim of this program is to provide an opportunity for law students to observe and participate in a limited way in the decision making process of courts and tribunals. Students are 'attached' to a magistrate or judge and conduct research into and writing on a legal issue of relevance to the mentor's work. Subjects that incorporate the program are Criminal Procedure and Evidence and the Family, Society and Law.

DETAILS

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Program/Course 1: Law 438 – Access To Justice Placement Program

The clinical placement program, comprising two distinct components focuses on access to justice and practising in the public interest. The unit is run as a partnership with Macquarie Legal Centre (MLC), the Public Interest Advocacy Centre (PIAC), and the Public Interest Law Clearing House (PILCH).

The Macquarie Legal Centre Program involves attendance at the Centre on a designated day for a period of 10 weeks during the semester. Each week involves experience in a different aspect of the legal issues dealt with by the Centre:

- Day 1 - Introduction to Macquarie Legal Centre
- Day 2 - Domestic Violence
- Day 3 - Consumer Trader and Tenancy Tribunal
- Day 4 - Family Law and Contact Services
- Day 5 - Children's Court
- Day 6 - Advice
- Day 7 - Family Law
- Day 8 - Litigation
- Day 9 - Discrimination and Alternative Dispute Resolution
- Day 10 - Reflection

In addition students will attend four evening seminars at the University.

The assessment for this unit comprises four components:

- | | | |
|-----|---|-------------------|
| (a) | Attendance at PIAC (3 days) and placement site (2 days) | Satisfactory/Fail |
| (b) | Macquarie law seminar attendance | Satisfactory/Fail |
| (c) | Reflective report | 40% |
| (d) | Assignment | 60% |

The unit is run in semesters one and two, and 8 places are available each semester. Students apply and are selected through written application and ballot.

macquarie university cont'

Program/Course 2: PIPI – Practising in the Public Interest Clinical Placement

The PIPI program involves attendance at 1 week intensive course run by PIAC. The course comprises classes conducted by PIAC and invited guests for three days, and two, one day public interest placements with legal institutions. In addition students will attend four evening seminars at the University.

The topics covered in the PIAC course include:

- defining 'the public interest'
- public interest legal strategies and practice
- community engagement and empowerment
- bureaucratic and political advocacy
- using parliamentary processes
- using the news media
- public interest litigation
- using human rights remedies
- international public interest law
- accessing justice; legal aid, pro bono, community legal centres
- case studies

The assessment for this unit comprises four components:

(a) Attendance at PIAC (3 days) and placement site (2 days)	Satisfactory/Fail
(b) Macquarie Law School seminar attendance	Satisfactory/Fail
(c) Reflective report	40%
(d) Assignment	60%

There are 10 places offered in the program per semester. Students apply and are selected through written application and ballot.

DETAILS

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Brief Overview

Developed more than 30 years ago, the Monash Law clinical legal education program for students was the first of its kind in Australia. Under expert supervision, students work with real clients and cases, learning vital skills relating to the practice of law while providing an important service to the community. The Legal Services and placement firms handle a wide range of problems. The major categories are family, crime including traffic offences, consumer and debt problems, motor accidents, tenancy problems and social security problems. While the nature and extent of student workload varies according to a number of factors and the student experience at each Legal Service or placement firm may appear superficially to be different, the fundamental learning experience available to every student is the same. Every student is exposed to the operation of the law and the legal process in their social context and learns the essential skills of communication, analysis and judgment and the demands of professional ethics.

Program/Course 1: Professional Practice

The student joins one of the two Legal Services with which the Faculty of Law is associated and attends a half-day client-intake session each week, plus additional time for follow-up work and discussion with their supervisor. In addition a two-hour seminar is conducted each week. Additional activities include either a case study report or a reflective journal (this is dependent on the particular Legal Service) and law reform and education projects. Enrolment is limited to 40 students per clinical period (17 weeks).

Throughout each clinical period, emphasis is placed on the development by each student of (i) understanding of the legal process in its social context, and (ii) analytical and decision-making skills. Halfway through the clinical period there is an informal 'mid-term' assessment when teachers discuss strengths and weaknesses with each student individually. The remaining assessment can be either a written assignment or a case report which incorporates student appearances or reflection on cases handled or a reflective journal. At both Legal Services, all students are involved in ongoing community engagement projects. This component of the course is valued at 20 marks.

Program/Course 2: Professional Practice (FLAP)

The Family Law Assistance Program is a self-help clinical legal service designed to assist people involved in Family Court litigation who do not have legal representation. It is administered by Monash University and funded by the Commonwealth Attorney General's Department.

The program aims to provide information on family law procedure, mediation and other forms of dispute resolution and the impact family breakdown can have on those involved.

monash university cont'

The unit runs in a 16-17 week clinical period format and requires students to run their own family law files and to accept operational responsibility for all aspects of those matters. Under the supervision of a family law practitioner, these responsibilities include drawing and engrossing documents, advising clients on issues arising from their files, briefing counsel, attending court to instruct counsel and general correspondence. Students attend the FLAP client contact sessions on roster, work on their ongoing files and take on new matters as they are initiated.

FLAP attends the Family/Federal Magistrates Court at Dandenong each Monday and students studying this unit are required to attend alternate Mondays. In addition a two-hour seminar is conducted each week and 3 two-hour tutorials are given in the first 3-4 weeks of the clinical period. Additional activities include either an assignment, student appearances or a reflective journal and law reform and education projects.

Program/Course 3: Advanced Professional Practice

This unit is an elective available to students who have completed Professional Practice. It carries 6 points and is available in the clinical periods indicated.

It is designed to build on the skills developed in Professional Practice and to provide students with the opportunity to develop a level of specialist expertise in a particular area of practice.

Students may enrol in one of four clinics as follows:

1. Joint Sexual Assault Clinic, in conjunction with the South-East Centre Against Sexual Assault (SECASA) at Springvale Monash Legal Service - (4 places, available all clinical periods) - offers legal services to victims of sexual assault. This clinic works with highly vulnerable clients and requires students to have well developed self-esteem and a demonstrated sensitivity to victims of crime. Develops expertise in managing cases in this area of criminal practice.
2. Human Rights Clinic, in conjunction with the Castan Centre for Human Rights at Holding Redlich, Solicitors (2 places - 2nd and 3rd clinical periods) - litigation involving human rights dimensions. All kinds of civil litigation can have a human rights dimension. Holding Redlich attempt to place students in this clinic in Human Rights-rich caseload under the supervision of a Holdings' partner - develops expertise in general civil litigation on behalf of plaintiffs, with a Human Rights bias.
3. Criminal Defence Clinic, in conjunction with Rob Stary and Associates, solicitors (1 place - 2nd and 3rd clinical periods). The students work on cases for defendants in anti-terrorism cases. As there is one place only, students need to have a positive recommendation from their Professional Practice supervisor and will need to be separately interviewed by the Director of Springvale Monash Legal Service.
4. Commercial Law Clinic, in conjunction with Moores Legal, solicitors, 9 Prospect Street, Box Hill (1 place - all clinical periods). The students are involved in commercial legal work for "not-for-profit" organizations, working with solicitors from Moores legal for welfare organisations, charities, educational institutions and churches in various commercial areas, including constitutions, taxation concessions, employment and volunteer law, submissions to government, dispute resolution, fund-raising, property and commercial transactions and other areas. Immediate casework supervision is provided by the law firm and academic coordination by a member of faculty staff.

Depending on the clinic in question and under supervision, students may interview clients, provide legal advice and prepare the relevant tribunal or court applications. In appropriate cases students may appear for their clients before the relevant tribunal.

MURDOCH UNIVERSITY

DETAILS

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Brief Overview

Murdoch University clinical legal education program offers two clinical legal education units to law students through the subjects Clinical Legal Education and Advanced Clinical Legal Education (with streams in advocacy, immigration or human rights law). Both are elective units.

The objectives of the program are:

- to develop students' critical appreciation of the law as an active social process in a community based context;
- to encourage students to think critically and reflectively about the adequacy of the law, legal system and the role of practitioners;
- to develop students' professional legal skills including communication, interviewing, advising, negotiating, advocacy, letter writing and the drafting of documents;
- to develop students' professional skills involving judgment, such as investigation of facts, the recognition of issues, the analysis of problems and situations, the use of tactics and decision-making generally;
- to develop students' understanding of professional lawyer/client issues, involving awareness of personal morality and professional ethics, and the consequences of the breaches of rules of conduct; and
- to provide legal services to the community.

Program/Course 1: Clinical Legal Education (LAW390)

The general clinical program is based at the community legal centre, Southern Communities Advocacy Legal and Education Service Inc. (SCALES), which is located in Rockingham and provides a generalist legal service to low-income and disadvantaged people in the surrounding community. The types of legal issues dealt with include private and public tenancy, family law, criminal law, social security, immigration law, domestic violence, criminal injuries compensation and minor civil issues.

Students attend a client interview session at SCALES each week, as well as having the conduct of 3-6 ongoing case files at any one time under the supervision of the Clinic's solicitors. Students are required to interview clients, research law, negotiate with other parties and draft letters, written advice and court documents. Students may also have the opportunity to appear under supervision in the Tenancy Court, Children's Court, Social Security Appeals Tribunal and other appropriate forums.

murdoch university cont'

In addition to attending SCALES, students are required to participate in a weekly two-hour seminar on campus. The seminar program focuses on practical skills, professional ethics and client communication issues with a considerable emphasis on building skills.

The course is fully graded with 80% of assessment based on work at SCALES, and 20% on seminar participation including a student presentation on broader social/ethical issues arising from a case.

Program/Course 2: Advanced Clinical Legal Education (LAW385)

The Advanced Clinic (immigration) is run from SCALES offices on campus at Murdoch University. The Immigration stream looks specifically at Refugee and Humanitarian cases. Students are able to develop specific skills such as working with interpreters, cross cultural communication, submission writing and lobbying.

The Advanced Clinic (advocacy) is run from SCALES office in Rockingham. It uses the vehicle of tenancy court to provide students with an opportunity to get on their feet and argue a case. Students are able to develop specific skills such as proofing witnesses, formulating legal arguments, collecting evidence, negotiating with the other party and advocating within a court setting.

The Advanced Clinic (human rights) is also run from SCALES offices on campus at Murdoch University and is run as an intensive over two weeks twice a year. It looks at the international human rights framework and considers how it can be used to further the protection of our client's human rights at a domestic level. Students attend seminars every morning and the afternoons are spent working on individual cases and policy and law reform.

QUEENSLAND UNIVERSITY OF TECHNOLOGY

DETAILS

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Brief Overview

QUT's 'Legal Clinic (Organised Program)' is an externship type program in which students undertake 'clinical' experience in a legal service external to the Law School. Students are placed in a legal service for one day a week over a 12 week period. Students are supported in their learning by an off-site QUT 'clinical supervisor' and weekly seminars at QUT.

Program/Course 1: Legal Clinic (Organised Program)

The Queensland University of Technology (QUT) offers the clinical legal education unit Legal Clinic (Organised Program) as a 12 credit point elective unit to undergraduate LLB students. The unit runs over a standard semester.

Students spend seven hours in an external placement and one hour in a seminar over 12 weeks. The one-hour seminars include topics such as – clients' needs, communication with clients, interviewing, drafting, law reform, social justice issues and ethics. The seminars also facilitate small group discussion devoted to providing the students with the opportunity to reflect on their experiences in the clinic and their own effectiveness as advisers, problem-solvers and representatives.

The clinical work undertaken by the students is supervised by officers of Legal Aid Queensland, Prisoners' Legal Service Inc., or the Aboriginal and Torres Strait Islanders Corporation (DEA) for Legal Services. Students may interview and give advice to clients, provide representation for clients, work on clients' files and prepare briefs and advices for the legal services' legal staff. Some students may be involved in community legal education, for example, on child support issues. Some students may engage in policy work or in creating resources to help persons who have to represent themselves in matters. Students will work in one of these areas - criminal law, family law, discrimination and administrative law matters.

Assessment is on a one to seven numeric scale. Marks are allocated as follows:

- Attendance at seminars (5%);
- Performance in clinic (15%);
- Professional journal and essay (40%); and
- A further item of assessment, relevant to the objectives of the course, to be negotiated between the facilitators and each student. (40%)

queensland university of technology cont'

The objectives of the course are:

- to enhance contextual understanding of the law and legal process by exposing students to real legal problems and giving them (limited) responsibility for dealing with those problems;
- to provide students with an opportunity for observation and reflection on the efficacy of the law, the legal system and legal practitioners; and
- to provide students with an awareness of the roles of legal representatives and to equip students with the bases of the skills they will need to perform those roles.

The course is funded by the University and at the conclusion of the course it is evaluated through a QUT Learning Experience Questionnaire (LEX).

DETAILS

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Brief Overview

The University of Adelaide runs a clinical program for 15 – 20 students in each of Summer, First, and Second Semesters. Students are placed with community legal centres, the Magistrates Court, the Legal Services Commission, some small private law firms, various Community Legal Services, and public authorities.

Professional placements are for two days per week in the summer course and for one day a week during the semester. Students interview clients, undertake legal research, attend court with lawyers, represent clients in administrative tribunals, prepare legal documents and correspondence, and work on one major project or paper for their placement agency. Projects have included substantial submissions to the Human Rights and Equal Opportunity Commission, and to other Government authorities on human rights and related issues, as well as community information sessions, brochures, law reform submissions, and briefing notes for agencies.

Students can also do their placement at one of three clinical services run by the Law School.

CLE course structure and content

Seminars for all students cover professionalism, legal ethics, communication, lawyers' relations with clients, self reflection, access to justice, law reform, and related issues. Prior to their placement students attend a one-day intensive training session to prepare them for placement in a legal environment.

The objectives of the course are:

- to provide students with a contextual understanding of the theoretical law they have been studying;
- to enable students to develop insight into the role of law in society and the concept of justice and equality in the legal system;
- to provide students with the opportunity to exercise, in a real environment, the core skills of good lawyering;
- to provide students with understanding of ethical standards expected of legal practitioners;
- to enable students to develop an appreciation of the concept of professionalism in their conduct and outlook; and
- to contribute to the provision of legal services in the community.

The assessment for the course consists of a professional journal, class participation and major project. The placement report is Pass/Fail, the remainder of the work is graded on a fail to high distinction scale.

university of adelaide cont'

Program/Course 1: Magistrates Court Legal Advice Clinic

The Law School set up a legal advice clinic in the Minor Civil Claims jurisdiction of the Adelaide Magistrates Court, and subsequently invited Flinders University to join that program. The clinic now runs jointly with Adelaide and Flinders Law Schools. The clinic runs for one day per week throughout the year and students enrolled in the CLE course work at the clinic as their professional placement. The clinic is student-run with academics/practitioners providing supervision on site. The clinic was initially funded by the Law Foundation of SA Incorporated, but is now funded by the two Universities. In 2009, with the financial support of the Law Foundation of SA, the service was extended to the Holden Hill Magistrates Court, where an outreach legal advice service is offered once a week.

Program/Course 2: Adelaide Legal Outreach Service (formerly Homeless Persons Legal Advice Service)

The Law School set up the Adelaide Legal Outreach Service (ALOS) to provide legal advice to homeless and disadvantaged people in February 2005. This project is modelled on the Magistrates Court Legal Advice Clinic, and focuses on assistance with a broad range of legal issues, and facilitating referral in more significant cases. Practising members of the academic staff supervise students, and pro bono referral is provided by members of the legal profession. ALOS is the first dedicated service for the homeless and disadvantaged to be developed in Adelaide, and has been operating successfully for four years. In 2009 the service was extended and now offers a legal advice outreach service at the Salvation Army Headquarters in Adelaide one day per week. The service is funded by the University of Adelaide.

UNIVERSITY OF NEWCASTLE

DETAILS

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Brief Overview

The Professional Program (Option B) offered by the School of Law at the University of Newcastle is a practical legal training program which is fully integrated with the Bachelor of Laws course. It is undertaken during the final two years of the law degree. The Program commenced in 1995. Students who successfully complete the Professional Program graduate with a Bachelor of Laws and a Diploma of Legal Practice (LLB/DipLegPrac)

The Professional Program is accredited by the NSW Legal Profession Admission Board (LPAB). A graduate of the program is eligible to be admitted as a lawyer without any further study (subject to being of good fame and character).

Program/Course 1: Professional Program

Aims Of The Professional Program

The two main aims of the Professional Program are:

1. To enable students to undertake an accredited program that complies with the LPAB Competency Standards for Entry Level Lawyers (the Competency Standards);
2. To equip students with the frameworks, concepts, knowledge and skills integral to legal practice together with the appropriate professional values to develop a professional attitude towards learning.

Competency Standards

Students are required to successfully complete modules in the Competency Standards Practice Areas. The assessments for the modules includes advocacy exercises, drafting letters and pleadings and agreements and orders, group work, reflective assignments and written work and class participation.

Acquisition of Frameworks, Concepts, Knowledge and Skills

The Professional Program focuses on:

Legal problems: Real-life client problems encountered in legal practice

Frameworks: Theories and models of legal practice

Concepts: Ideas that explain how lawyers think, work and solve problems

Knowledge: What lawyers need to know to practice effectively eg. the substantive and procedural law regarding transactions.

Skills: Practice methods and techniques eg Interviewing, Advice and Letter Writing, Commercial and Pleadings Drafting, Document analysis, Fact Investigation, Legal Analysis, Negotiation and Advocacy

Professional values: Ethics in practice

university of newcastle cont'

Professional attitude to learning: Throughout the Professional Program students are expected to demonstrate a professional attitude to their learning. This helps students earn the trust and respect of colleagues and others with whom students come into contact with during the Professional Program and beyond.

This requires:

- Habits of diligence, mental focus and collaboration
- Honesty
- Being courteous and cooperative in all dealings with lawyers, staff and students
- Meeting deadlines for the submission of work
- Attending classes and skills exercises
- The ability to learn from and evaluate their experience.

There are around 100 students enrolled in the Professional Program.

Legal Professional Placement

Students undertake 360 hours of legal professional placement over 2 years during the Professional Program. A minimum of 100 hours are to be undertaken at the Law School's own Legal Centre, The University of Newcastle Legal Centre (UNLC), under the direct and close supervision of UNLC lawyers who are highly experienced practitioners and who are also full time members of the teaching staff.

Legal professional placement is an invaluable component of the Professional Program. From a learning perspective, it allows students to have regular contact with a supervising lawyer during which they will have the opportunity to ask questions, analyse and reflect on the work that they are doing. Students are encouraged to take responsibility for their learning and to use their initiative to seek out work and ask for clarification.

Distinctive features of the Newcastle Professional Program

The Professional Program has a number of features which distinguish it from practical legal training programs offered elsewhere.

- It is run over two academic years - this time frame enables students to learn incrementally, build on their skills, develop high standards of professionalism and to reflect on their practical learning and the ethical dimensions of legal practice.
- It integrates law theory and legal practice - while students are studying substantive areas of law they concurrently undertake clinical training and skills exercises together with legal professional placement.
- It embraces experiential and problem based learning - students learn to solve clients' legal problems in a realistic context.
- It is fully supported by The University of Newcastle Legal Centre - the UNLC is a legal centre staffed by lawyers who are both clinical supervisors and members of the law school staff. It provides free legal services to members of the public focusing on people who are disadvantaged in dealing with the legal system.
- It is centred around working with real clients - all Professional Program students have direct contact with clients through participation in Advice Days at UNLC and working on ongoing case work and public interest cases while on legal professional placement at UNLC.

Real client experience is central to the Newcastle model of clinical legal education. The clinical program at Newcastle is more than just skills training. A passion for social justice, respect for the rule of law and a dedication to the interests of clients is fostered. Students are challenged to consider the connections between law in theory and law in practice and are encouraged to reflect upon and critique the practice of lawyering.

university of newcastle cont'

The University Of Newcastle Legal Centre (UNLC)

The University of Newcastle Legal Centre is the centrepiece of the Professional Program and legal professional placement. UNLC operates as a community legal centre providing free legal advice and assistance to members of the community in the Hunter region. The operations of UNLC are directed to the provision of legal assistance to disadvantaged members of the community, focusing on those people with limited financial means or on matters in the public interest.

Functioning as both a legal practice and a teaching facility, UNLC provides an intensive clinical placement site for students. By working with UNLC's solicitors and dealing with real clients with actual legal problems, students gain skills and experience in the practice of law. All students are required to directly interview clients as part of their placement at the UNLC.

UNLC Objectives

UNLC has the following aims and objectives:

- to provide a quality legal service based on ethical practice to members of the community who would not otherwise be able to afford legal services
- to provide quality legal education to law students
- to undertake legal matters which are in the public interest
- to develop new models of clinical legal education which enhance legal professional skills
- to enhance legal services throughout the Newcastle region and, in particular, to expand the work already done by the other legal services in the private and public sector
- to give students an appreciation of the practice of law and a fuller understanding of the legal and social issues which provide a context for the practice of law.

UNIVERSITY OF NEW SOUTH WALES

DETAILS

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Brief Overview

The University of New South Wales Law Faculty offers five clinical courses or courses containing a formal clinical component. These are offered through the Faculty's Kingsford Legal Centre which was founded 29 years ago. Each of the clinical courses aims to provide students with opportunities to learn about law, the legal system and the role of lawyers within the legal system through working with disadvantaged clients. Students are encouraged to think critically about the law and the legal system through interviewing clients, working on client cases and law reform and community education projects.

The courses are:

- Clinical Legal Experience (Intensive);
- Clinical Legal Experience (Non Intensive);
- Clinical Program – Employment Law;
- Law, Lawyers and Society; and
- Indigenous First Year Program.

UNSW students also have the opportunity to participate in a number of internships including through the Public Interest internship program and the Social Justice internship program.

Program/Course 1 & 2: Clinical Legal Experience (Intensive and Non-Intensive)

The UNSW Law Faculty runs a community legal centre – Kingsford Legal Centre – which assists over 3,000 people a year. Seventy five students each year undertake the generalist clinical program at the Centre. Students attend the Centre either 1 or 2 days a week, doing the course on an intensive or non-intensive basis.

Course objectives

The objectives of the course are:

- to develop students' critical appreciation of the law and legal system in Australia through participation in a legal practice working for clients who are financially or otherwise disadvantaged;
- to enhance students' contextual understanding of the law and legal process by exposing them to real clients with legal problems;
- to provide students with a detailed understanding of the legal aid system and develop students' understanding of issues of access to the legal system for the Australian community;
- to develop students' awareness of the role of lawyers in practice in the legal system;
- to develop students' understanding of ethics and responsibility in a workplace setting;
- to introduce students to the importance of developing basic lawyering skills to a high level of proficiency including communication, interviewing, drafting and negotiation; and
- to develop students' ability to see beyond a casework approach to legal problems by providing opportunities to participate in campaign and education work and to encourage students to see the law as a vehicle which can be used to protect and develop human rights.

university of new south wales cont'

Students are responsible for running between 2 and 5 legal files supervised by a staff solicitor. The Centre takes on cases for clients who cannot afford a private solicitor and where there is no other source of assistance or where the Centre has particular expertise (for example, in discrimination, domestic violence and employment matters). Students undertake legal research, interview clients, attend court with solicitors and counsel, and draft letters, affidavits, statutory declarations, court documents, and letters of advice. Students use their initiative to develop proposals for actions on files in conjunction with the responsible solicitor. Students respond to public enquiries for assistance and make effective referrals to other sources of legal and non-legal assistance.

Consistent with the objectives of community legal centres operating out of a community development framework, students also participate in community legal education and law reform projects such as preparing presentations around human rights or submissions on problems with anti-discrimination law.

Students have the opportunity to participate in a student advocacy program. In this program they present guilty pleas for clients charged with minor offences at the Local Court.

In addition to attending the Centre one or two days a week, students must:

- attend a morning tutorial of one hour on their rostered days,
- assist coordinate evening advice sessions from 6pm to 9pm and
- participate in weekly 2 hour seminars.

The weekly seminars cover a variety of topics from substantive law such as domestic violence and discrimination, as well as an introduction to practical legal skills such as interviewing, drafting and negotiation. The students also learn about the legal aid system and law reform processes. A legal mentoring scheme runs in the evening advice sessions where volunteer solicitors and barristers work with students to provide advice and assistance to the local community. Students also teach a tutorial with the Law Lawyers & Society students discussing issues relating to interviewing.

The courses are taught by a senior lecturer in the Faculty located at the Centre together with three solicitor/clinical supervisors – funded by the Commonwealth and State governments. The Co-ordinator is responsible for the Centre's community service provision and with the Administrator trains the students in administrative procedures. The law firm Freehills has a solicitor on secondment to the Centre. The law firm Allens Arthur Robinson also has a solicitor on secondment to the Centre for 6 months of each year.

Students are assessed as: Satisfactory Completion, or Fail. They are assessed on a one-to-one basis in weeks 1, 6 and 12. Students complete a self assessment in week 5. To satisfactorily complete the subject, students must show thorough application and adequate performance on client and project files, a willingness to think critically about the legal process and the client's place within it, and an ability to adapt their manner and conduct according to the needs of the particular client and legal problem. Students also do a case presentation on a particular client matter or policy issue in the last weeks of semester. Placements are recognised as part of the professional experience component of the College of Law's Practical Legal Training.

university of new south wales cont'

Program/Course 3: Clinical Program — Employment Law

The Centre also runs a clinical program in Employment Law. The objectives of the course are similar to those of Clinical Legal Experience (see above) however the students' cases, law reform work and community legal education focus on employment issues. The assessment process is the same as the Clinical Legal Experience Intensive Course.

This course has 5-8 students each session attending 2 days a week. Students gain specialist expertise in a high demand area of the law. In many cases students appear in the Industrial Commission and Chief Industrial Magistrate's Court in conciliation proceedings or other mentions or hearings. Students also visit the Chief Industrial Magistrate's Court in order to learn more about how it works. Clients benefit from legal assistance in a field where there are few resources.

A number of private law firms provide solicitors on a rostered basis to provide employment advice at the Centre. This allows students to work with a variety of lawyers as well as providing more assistance to clients. The course runs three times a year.

Program/Course 4: Law, Lawyers and Society

This course teaches legal ethics and the sociology of legal practice to UNSW law students. Including a clinical component for the vast majority of students early in their degrees is a unique opportunity for students to meet and interview real clients and reflect on the way law interacts with disadvantaged clients' lives. Students are trained in interviewing clients and then participate in a legal advice session at Kingsford Legal Centre interviewing clients, under the supervision of volunteer lawyers and clinical supervisors. Through this, they gain an understanding of the work of community legal centres and some experience in the sorts of legal issues which disadvantaged members of the community experience. Over 400 students a year go through the course. Students submit a written report reflecting on their experience of interviewing and their understanding of the work of community legal centres.

Program/Course 5: Indigenous First Year Program (for 1st year law students and Diploma of Humanities students)

UNSW offers first year Indigenous law and Diploma of Humanities students a clinical program in which they interview and assist clients and gain an understanding of legal services in NSW in weekly seminars.

The objectives of the course are:

- to develop graduate attributes of oral and written communication;
- to encourage students to continue their legal studies;
- to develop students' understanding of the way law can be used to protect human rights;
- to develop students' contacts and connection with the Law School;
- to enhance the services of Kingsford Legal Centre by increasing Indigenous participation;
- to develop final year students' knowledge and understanding of Indigenous issues through mentoring program;
- to allow students an understanding of the legal aid system in New South Wales;
- to allow students an opportunity to assist people in need; and
- to introduce students to practical lawyering skills.

Generally 4-14 students enrol in this course and are taught interviewing skills. They also gain an overview of the legal aid system through a series of classes and visits to organisations and Courts. Generalist and employment law clinical students are also involved in the course as mentors to the first year Indigenous students.

UNIVERSITY OF NOTRE DAME

DETAILS

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Brief Overview

The NDA School of Law strongly believes that ethical legal education must occur through students actively engaging with the intricacies and dilemmas of "real world" legal practice and through critical reflection on those experiences. This belief, founded on the long tradition of Catholic legal education, is linked with the College's desire for justice within Western Australia. As a practical manifestation of these commitments the School of Law will conduct 2 clinical-based programs in 2009/10.

Program/Course 1: Law in Context

Law in context is an elective unit available to students in their penultimate and final years. It follows the established placement clinical model that has operated with great success in Australia and North America. The program has been developed with assistance from mentors at Murdoch and Griffith Universities. Students are hosted at various agencies.

The course aims to enhance students' real world legal skills through file management, client interviewing and critical reflection of law, law reform and access to justice. Students attend a seminar series in addition to spending time at their placement. The course is assessed on a pass/fail basis.

The assessment differs according to the type of placement. All placements require legal administrative work and research. The unit is a standard 13 week unit but many students continue their voluntary placements beyond the required time.

Program/Course 2: Ethics and the Law

Ethics and the Law is a development of the community service program that has been run for many years at the School of Law. It is a compulsory first year unit for all law students. It is a joint initiative between the School of Law and the School of Theology and Philosophy. The unit is taught by staff from both Schools and is offered during semester 1 and semester 2. The unit is based on a similar program operated by the Centre for Social Concern at Notre Dame University Indiana.

The unit involves the students undertaking lectures in ethical theory and legal ethics parallel to undertaking regular community service. Students undertake a range of service activities depending on their skills and available time.

Currently students are:

- Undertaking reading programs with special needs children
- Volunteering in Community Legal Centres
- Visiting prisoners

The unit is assessed through an exam, community placement, pre placement paper and a detailed service journal. The unit is a standard 13 week unit.

UNIVERSITY OF QUEENSLAND

DETAILS

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Brief Overview

Clinical Legal Education at the T.C. Beirne School of Law at the University of Queensland is run by the UQ Pro Bono Centre. The UQ Pro Bono Centre was established in February 2009 to streamline the pro bono and public interest activities of the School. The Centre's functions include:

- Administering and coordinating the School's Clinical Legal Education Program;
- Developing and managing a pro bono roster to formalise student public interest volunteer work at community legal centres, community organisations, the courts and other legal settings;
- Encouraging public interest/pro bono research and secondment amongst School staff.

The School's Clinical Legal Education program has expanded substantially in the past two years. The School now runs five separate clinics.

In 2010, the program will expand to include another clinic based at the Aboriginal and Torres Strait Islander Legal Service in Brisbane. Further expansion of the program is planned for the coming two years.

The clinics all run for one semester each. They each require a time commitment of one day's work per week for ten weeks of the semester. Students' assessment is comprised of a mark determined by the supervising lawyer (60%) and an 'assessable task' worth 40%. The nature of the 'assessable task' varies from clinic to clinic, but generally involves the completion of a fact sheet, submission or advice sheet. In 2006, the students of the HPLC clinic undertook most of the research and writing in the report: *Nowhere to Go: The Impact of Police Move-On Powers on Homeless People in Queensland*. Students are therefore assessed on their legal practice skills and their plain English writing skills, and the research and policy work they undertake yields substantial benefits for the community legal sector, and marginalised members of the community.

Currently, students may only undertake Clinical Legal Education once in their degree. However, from 2010, students will be able to enrol in the program twice over the course of their degree. This will allow students to experience legal practice in a variety of settings, develop a wide range of legal skills, and interact with many different kinds of cases and clients.

Further to this, from semester 2, 2009, students will be able to opt-in to the Pro Bono Roster to undertake legal volunteering activities organised by the School on their behalf. Requests for student involvement will come from lawyers in private practice, community legal centres, the courts and community organisations. By definition, students will not receive any academic or other formal credit for their pro bono activities, and the School is excited by the contribution that our students will be able to make to the community through this initiative.

university of queensland cont'

Program/Course 1: Consumer Law Advice Clinic (CLAC)

The CLAC runs out of Caxton Legal Centre in Brisbane. Students undertake one week of orientation, receive intensive training in consumer law for two weeks, and then undertake casework for seven weeks under the guidance of lawyers who practice in consumer law.

Program/Course 2: Homeless Persons' Legal Clinic (HPLC)

Students spend five weeks of the semester at the HPLC which is a project run by the Queensland Public Interest Law Clearinghouse Inc (QPILCH). Whilst at QPILCH, the students undertake research, law reform and policy work in support of the HPLC. Students spend the other five weeks of semester accompanying HPLC volunteer lawyers to community organisations where they provide pro bono legal advice to clients experiencing homelessness. Students attend and assist at the advice clinic, and then return to the law firm with the lawyers to undertake follow-up legal work.

Program/Course 3: Public Interest Research Clinic (PIRC)

This clinic is devoted to public interest research. Students spend ten weeks undertaking research for QPILCH. To date, students of this clinic have contributed to the body of knowledge on self-representation and mental health and guardianship law in Queensland.

Program/Course 4: Legal Aid Clinic (LAC)

Students support the work of Legal Aid Queensland's Brief Services Unit (BSU) in this clinic. The BSU was established to provide assistance to individuals who have a legal problem which could be resolved with limited help, but there is no other service that can provide the assistance required. As part of this clinic, students are exposed to a range of clinical experiences, including video-link ups with clients in prison, legal drafting and the provision of advice by telephone.

Program/Course 5: Prisoner Law Clinic (PLC)

The PLC will run for the first time in semester 2 of 2009. Students will spend five weeks of the semester at QPILCH undertaking casework related to prisoner debt issues. For the other five weeks of semester, students will work at Prisoners' Legal Service (PLS) undertaking law reform and policy research work.

UNIVERSITY OF SYDNEY

DETAILS

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Brief Overview

The Social Justice Clinical Course will commence in semester 2, 2009. The newly established Social Justice Program will arrange for students enrolled in the course to work with various organizations which have agreed to participate in the program. To date, such bodies include the Refugee Advice and Casework service (RACS) and the Public Interest Law Clearinghouse (PILCH).

Program/Course 1: Social Justice Clinical Course

The Social Justice Clinical Course is a semester length course, with full course credit. In second semester 2009 it will be open to at least 20 students in the last two years of the law course. Assessment will be: placement evaluation (30%) seminar performance (30%) and essay (40%). In addition to a one day per week placement with one of the clinical legal programs, students will be required to attend a 2 hour seminar each week. The seminar will focus on a variety of aspects of the practice of public interest law.

Program/Course 2: External Student Placement Program

In addition to the Social Justice Clinical course, the law school will continue to run the external student placement program. Through this program, individual students are placed with a variety of legal organisations. Each semester a selection is made from the following 'pool' of placement sites: Amnesty International, Arts Law Centre, Aurora Project (Castan Centre for Human Rights), Austcare, Australian Law Reform Commission, Climate Action Network Australia, Disability Discrimination Legal Centre, Environmental Defenders Office, Family Court of Australia (Federal Magistrate), HIV/AIDS Legal Centre, Human Rights and Equal Opportunity Commission, Intellectual Disability Rights Service, Legal Aid Commission of NSW: Childrens Legal Services, Mental Health Review Tribunal, National Association of Community Legal Centres, National Children's and Youth Law Centre, National Native Title Tribunal, NSW Attorney-Generals Administrative Decisions Tribunal, NSW Combined Community Legal Centres Group Advocacy and Human Rights Officer, NSW Council for Civil Liberties, NSW DPP, NSW Ombudsman, NSW Public Defenders Office, Public Interest Advocacy Centre, Redfern Legal Centre Domestic Violence Court Assistance Scheme, Refugee Advice and Casework Service, Uniya Jesuit Social Justice Centre, Welfare Rights Centre, Warringa Baiya Aboriginal Women's Legal Service, and Women's Legal Resources Centre

UNIVERSITY OF TECHNOLOGY, SYDNEY

DETAILS

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Brief Overview

The University of Technology, Sydney (UTS) has a strong commitment to practical and professional training and is an accredited provider of practical legal training in New South Wales.

Students in the UTS Bachelor of Laws and Juris Doctor may complete their practical legal training as part of their degree or any student may enrol in the Graduate Diploma in Legal Practice at the completion of their law degree.

In addition, students in the UTS Bachelor of Laws and Juris Doctor may take the subject Community Justice Studies as an elective during their degrees.

Program/Course 1: Graduate diploma in legal practice and plt electives

Admission by the Supreme Court of NSW to practice as a solicitor or barrister is based upon the successful completion of an undergraduate law degree (or similar qualification) and an accredited course of practical legal training.

The UTS course in Practical Legal Training (PLT) is approved by the Legal Practitioners Admission Board (LPAB) of the Supreme Court of NSW, and may be completed by UTS law students during or after their law degree. Other law school graduates looking to be admitted may also enrol in the Graduate Diploma. The course is clinically-based and involves interaction between students, clinical practitioners and lecturers in professional practice activities such as practice courts and simulated practice transactions and skills exercises.

The UTS PLT program, like any clinically-based education, requires considerable commitment from students. Subjects are more demanding, in terms of ongoing study and/or attendance, than regular undergraduate or postgraduate law subjects. This is due mainly to the interactive nature of activities, regardless of face-to-face or distance mode, between teaching staff and students. The teaching platform, UTSOnline, is utilised extensively to facilitate learning and communication via the Internet.

Subjects can be undertaken in traditional weekly face-to-face classes or by distance (with limited on campus attendance), or a combination of both.

university of technology cont'

PLT subjects to be offered in 2009

Civil Litigation

Ethics

Property Transactions

Commercial & Estate Practice

Advocacy

Legal Skills & Professional Awareness

Practical Experience

Program/Course 2: Community Justice Studies

Community Justice Studies is taught within the Faculty of Law and introduces students to the dynamics of law reform and community engagement. This subject fosters an understanding of the practice of public or community-based law by giving students experience, and direct knowledge of, the law in practice. The subject is intended to foster vital legal skills. Enrolment is open to Bachelor of Laws and Juris Doctor students as an elective.

The subject is taught in two parts. First, all participants review contemporary literature about the practice of public law within a social justice and community context. Key areas include the ethics of practice, identification of areas of legal need in the community and access to justice. Secondly, participants have an opportunity to engage in practice based learning by choosing to engage in one public law/ community activity from a broad range of options.

Options include the following.

- Students may elect to further their experience through a relevant work placement. For example, students could elect to prepare community legal education for community groups by researching, developing and delivering plain language presentations or short courses about legal issues for communities. Community legal education focuses on practical law, affecting members of communities in their daily lives, including consumer protection law, tenancy law, health law, domestic violence, dispute resolution, apprehended violence orders, succession, immigration law and other areas.
- Students may develop their writing, editorial and organisation skills by contributing to the e journal Public Space: The Journal of Law and Social Justice.
- Students may complete a research publication such as a law reform submission or submission to a parliamentary committee. Research is a critical skill and this option allows participants to develop policy, analytical and legal skills.
- Legal practice elective at the UTS Anti-Slavery Project: Students are expected to take responsibility for a number of client files, perform office duties at the Centre and complete a reflective journal and contribute to a research, law reform project or legal education resource.
- Placement in access to justice or public interest law environment.

UNIVERSITY OF WESTERN SYDNEY

DETAILS

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Brief Overview

The University at the new Parramatta Justice Precinct (from 2009) operates a Clinical Education Unit through Macquarie Legal Centre and Macarthur Legal Centre. Both the Macquarie and Macarthur programs, under the umbrella of a 'Clinical Legal Education' unit provide the law student with 10 credit points towards their LLB degree. Despite different approaches to student contact both programs have the same broad goals and objectives for UWS law students – being an exposure to community legal practice and an ability to reflect upon, and contribute to, the range of issues affecting the community legal sector and its clients.

Program/Course 1: Clinical Legal Education (University of Western Sydney)

The University of Western Sydney program is run over a period of ten days and is undertaken in partnership with both Macquarie Legal Centre and Macarthur Legal Centre.

Each day is divided into a theme as follows:

- Day 1 – Introduction to Macquarie Legal Centre
- Day 2 – Domestic Violence
- Day 3 – Consumer Trader and Tenancy Tribunal
- Day 4 – Family Law and Contact Services
- Day 5 – Children's Court
- Day 6 – Advice
- Day 7 – Family Law
- Day 8 – Litigation
- Day 9 – Discrimination and Alternative Dispute Resolution
- Day 10 – Reflection

Students do not attend additional classes on campus.

Assessment is as follows:

- (a) Reflective journal/logbook 50%
- (b) Seminar presentation 20%
- (c) Research paper 30%

The reflective journal is a reflective diary which requires students to critically consider his or her actions, experiences and responses in light of the objectives of the unit. The objective of the seminar presentation and research paper is to allow students to explore a topic that is relevant to the centre and create material which may be used at the centre. Including policy analysis, community legal education information or resources that can be used by clients. The seminar presentation allows students to display his or her oral communication skills in the context of the intensive placement and explain the direction of the research paper that they will be writing. Students are chosen according to a written application.

UNIVERSITY OF WOLLONGONG

DETAILS

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Brief Overview

Since the inception of the University of Wollongong (UOW) Faculty of Law a period of practical experience/work placement has been a compulsory part of the LLB curriculum. Originally a component of the subject Lawyers & Australian Society, from 2009 the clinical component of Wollongong's LLB program takes the form of a discrete subject: LLB 397 Legal Internship.

Program/Course 1: The UOW Legal Internship

The internship is a professional experience placement of 20 days duration in an aspect of law-related practice - such as a firm of solicitors, barristers' chambers, a government or corporation legal office, the Legal Aid Commission, Public Defender, DPP, in a court registry or with a judge, a Tribunal or Commission, in a government policy department or law reform commission, a community legal centre, with police prosecutors, or in any other organization able to provide the student with experience of the law in practice.

These placements are organised by the Faculty, although students may register existing employment or a summer clerkship which meets the placement guidelines, with the Faculty for the purposes of the internship.

The objectives of this component are:

- to expose students to the application of the law in practice, and to perceive how the learning they acquire in law studies is applied in practice, in ways that cannot be learned from reading or hearing about it;
- to enable students to relate different areas of practice to the importance of developing skills of legal research, communication, drafting, practice management and problem solving;
- to enable students to observe and reflect upon the values, ethical standards and conduct of the legal profession in practice, and to develop their own attitudes of professional responsibility.

Students and placement supervisors receive an instruction booklet which explains the program and its educational objectives. Students are expected to be involved directly in the work of the placement office, not as mere observers. They are expected to negotiate specific placement objectives with their supervisor.

During the placement, students maintain a journal containing at least 4 entries on the professional activities in which they have participated and their observations and reflections on that experience, plus a final piece in which they reflect on their achievement of their placement objectives.

university of wollongong cont'

Program/Course 2: COSL Project and Public Interest Law elective

In 2009 the UOW Faculty of Law launched its Community Outreach and Service Learning (COSL) Project. COSL provides a framework in which law students can be matched with not-for-profit community organizations to work on projects that will benefit from the students' legal skills. The Faculty of Law will work with Wollongong City Council's Volunteering Illawarra and the Illawarra Legal Centre to identify high priority community issues on which the students will work under the auspices of the COSL Project. Participating students are afforded the opportunity to complement the learning they do at university with learning in the community.

A central component of the COSL Project is the creation of a new Public Interest Law subject (an upper year elective), which will provide students with an opportunity to apply and extend the knowledge, skills and attributes they have developed in their previous law studies. Students enrolled in Public Interest Law will experience a combination of intensive training and short-term clinical placement, facilitated by the Public Interest Advocacy Centre (PIAC) and the Public Interest Law Clearing House (PILCH) in Sydney, before completing a report under the supervision of Faculty of Law academic staff on one of the community projects identified by Volunteering Illawarra and the Illawarra Legal Centre.

RECENT RESEARCH IN AUSTRALIAN CLINICAL LEGAL EDUCATION: ABSTRACTS OF ARTICLES, PAPERS AND REPORTS

Cashman P., *Clinical legal education: social justice, social experiment or social failure?*

Community Engagement Forum, Bond University, Gold Coast.

Abstract: To be published as a chapter in *Community Engagement in Australian Legal Education* (edited by Professor Patrick Keyzer) published by Halstead Press. (in press)

Cody, A. and Green, S., *Clinical Legal Education and Indigenous Legal Education: What's the Connection?*

International Journal of Clinical Legal Education 51 July 2007

Abstract: This article exams some of the steps that UNSW law school has taken to address Indigenous disadvantage in, and exclusion from, legal education. It focuses on the role of clinical legal education within Indigenous legal education. It describes two examples of clinical legal education attempts to make the law school a more relevant and less alienating environment for Indigenous students. It argues that the provision of clinical courses in the early stages of studying for a law degree is particularly valuable for disadvantaged students at risk of withdrawing from law. By developing students' oral and written communication skills in the context of legal problems experienced by disadvantaged clients, it contextualises the law which is being currently studied, and improves communication skills. It also serves to remind and affirm students in the reasons they originally chose to study law. The article also describes an experience of teaching non-Indigenous students about working with Indigenous clients and communities and reflects on the challenges and issues this triggered. These included working with the expectations of students in "how" they expect to learn law and encouraging students to listen openly to Indigenous voices.

Cody, A., *Yes we can: teaching students about social justice and human rights.* Abstract: This was a paper presented at the biennial IJCLE conference Sydney 2009. It discusses the questions of whether it should be the role of all clinical programs to teach social justice, the role of human rights perspectives within clinical legal education, and the responsibility to communities, non government organisations and clients in clinical legal education when we are teaching students as well as providing some form of community service. Different models of doing social justice are also discussed briefly.

Copeland, A and Vivian, A. *Human Rights as the Ordinary Work of Clinics in Innovation in Clinical Legal Education*, Naylor and Hyams (eds.) *Alternative Law Journal*, Monograph No. 1, 2007.

Abstract: This chapter examines the use of human rights in clinical practice. In doing so it critiques the traditional view of human rights as purely an international framework and instead links it to the social justice work undertaken by legal clinics across the country. Using the experiences and perspectives of clinical students it challenges clinical legal programs to embrace and use human rights in their everyday work.

Curran, L. *Making the legal system more responsive to community ; a report on the impact of Victorian Community Legal Centre (CLC) law reform initiatives*, (2007).

Abstract: This report and article by former LaTrobe CLE lecturer Liz Curran, concerns law reforms activities of Community Legal Centres and the involvement of clinical students in law reform.

Curran L., *University Law Clinics and Their Value in Undertaking Client-Centered Law Reform to Provide a Voice for Clients' Experiences*, *Int'l J. Clinical Legal Educ.* 105 Curran L., (2007)

This article examines how a clinical program can enlarge on the benefits of student's case work experience by adding a course component which engages them in identifying systemic issues in their case work which can be used to inform work on law reform issues as part of assessment in the clinical programs. The LaTrobe clinical program discussed in this article, demonstrates that assessment can be broadened to enable students to critique the contexts within which client issues emerge.

Evans A. & Hyams R., *Independent Evaluations of Clinical Legal Education Programs: Appropriate Objectives and Processes in an Australian Setting*, (2008) 17 *Griffith LR* 52-87:

Abstract: This article is about the need for clinics to be effectively prepared for independent, external reviews of law school clinical programs. It identifies what a clinical review should examine and what process is best adopted by such an evaluation in an Australian legal education setting, in order to maximise the prospects for workable and integrated clinical-legal education.

Giddings, J., *Two-Way Traffic – The Scope for Clinics in Facilitating Law School Engagement With Communities*, in P. Keyzer, A. Kenworthy & G. Wilson (eds) (2009) *Community Engagement in Contemporary Legal Education: Pro Bono, Clinical Legal Education and Service Learning*, Halstead Press, Sydney.

Abstract This chapter explores various contributions clinical legal education programs can make to law school efforts to effectively engage with their professional and local communities. Australia has a rich and distinctive history of clinical legal education, one which emphasises both the learning opportunities for students and the community service outcomes that clinics generate. Australian clinics have also been important in enabling law schools to forge links with the practising legal profession. The chapter includes case studies of Australian clinics that have been effective in integrating insights across the activities of the law school. These insights relate to new approaches to teaching, curriculum development as well as linking clinics with the research activities of law schools. The paper will emphasise the importance of genuine sustained engagement with community agencies suggesting that the key to effective community engagement is long-term relationships, both institutional and personal.

Giddings, J., *Contemplating the Future of Clinical Legal Education*, (2008) 17 (1) *Griffith Law Review* 1

Abstract: This article considers the factors that are likely to continue to shape the future of clinical legal education. Drawing on the history of clinical legal education, both in Australia and more broadly, the article considers how those involved in clinical programs might best promote program sustainability. The article examines the continuing creative tension between goals related to student learning and those related to community service as well as considering the emergence of new forms of clinical lawyering. It recognises the importance of utilising clinical insights across the broader law program and advocates for an emphasis on the natural strengths of clinic-based learning, in terms of students developing effective frameworks for addressing ethical issues and developing strong links with the practising profession.

The article also calls for close attention to be paid to developing effective practices in student supervision. Such endeavours can be advanced through developing the awareness of supervisors as to the range of matters that can impact on their work with students, including a better understanding of the supervision practices used in other disciplines. The article also addresses the prospect of an increasing focus on graduate clinical programs, designed to prepare law graduates for their entry to the legal profession.

Giddings, J., *A 2020 Vision of Clinical Legal Education in Australia*, in B. Naylor & R. Hyams (eds) (2007) *Innovation in Clinical Legal Education: Educating Lawyers for the Future*, Legal Service Bulletin Cooperative, Melbourne

Abstract: In 1984, the Journal of Legal Education published an article by Anthony Amsterdam entitled 'Clinical Legal Education – A 21st Century Perspective' which outlined his vision for clinical legal education in the USA from 'the enlightened 21st Century'. This article attempts to provide a similar prediction, this time from an Australian perspective. It considers the significance of a broad range of factors on the sustainability of clinical legal education in Australia. It considers where clinics have come from and where they might go in 13 years between now and 2020, looking at some developments that might happen, some 'wish-list' items as well as other changes that clinic teachers may fear will come to pass, such as the closure of some law school clinics, the increasing skills focus of some remaining clinics and attempts to export clinic legal education models without understanding the importance of local conditions.

Harrison, J., *Some synergies between practical legal training and recruitment and retention of CLC staff in regional, rural and remote areas*, (2008), paper presented at the Justice is as Just Does: CLCs Working for Justice, National Association of Community Legal Centres Conference, Darwin, 18-20th August 2008

Abstract: Most law students in Australia who wish to become admitted to legal practice undertake a Practical Legal Training program such as the ANU Graduate Diploma of Legal Practice. These programs comply with the Australasian Professional Legal Education Council's Competency Standards for Entry Level Lawyers. The Standards specify minimum training requirements which include work experience (supervised legal practice placement). The paper discusses synergies between PLT placement requirements and regional, rural and remote legal workforce planning, particularly in relation to social justice objectives and Community Legal Centres.

Recent research cont'

Harrison, J., *An Active Approach to Studying Law*, (2008), online at: <http://law.anu.edu.au/undergraduate/>

Abstract: This resource which is updated annually, focuses on common factors relating to law student motivation and engagement. It focuses on law students as a conduit to legal help and key information which students need in this regard. There is also a focus on drawing learning from every day activities, volunteer opportunities and clinical law and other opportunities for course credit.

Hyams, R., *On teaching students to 'act like a lawyer': What sort of lawyer?*

Abstract: Paper presented to the IJCLE Conference: Cork, Ireland 2008. This presentation investigates the intersection of clinical teaching and professional responsibility under the conference theme of 'clinic and life long learning'. It investigates the issue of teaching students to "act like a lawyer" and asks the fundamental question: "What sort of lawyer do we want students to act like?" It examines our notions of professionalism and our ability (and responsibility) to include such notions in our clinical pedagogy.

Hyams R., *Non-Adversarial Justice: Opportunities for Clinical Legal Education*.

Abstract: Forthcoming presentation to the IJCLE Conference: Perth, Australia 2009. This presentation examines the interaction between clinical teaching, academic writing and research and changes to the legal system in the various areas of non-adversarial justice. It proposes that clinical legal education intersects at various levels with all the vectors associated with holistic law, therapeutic jurisprudence, restorative justice, creative problem solving, alternative (or appropriate) dispute resolution, collaborative law, preventive law, and practices evolving in indigenous courts, drug courts, and problem-solving courts. It proposes that clinicians are in a unique position to be at the forefront of these changes to the legal system and discusses the prospects of positioning ourselves as essential skills teachers in these areas within our law schools. It also investigates the possibilities for a novel and fertile area of research, writing and teaching for clinicians.

James, C., *Lawyer Dissatisfaction*, *Legal Education Review* 2008, Vol. 18, No 1 & 2,

Abstract: Emotional Intelligence and Clinical Legal Education' - This article reports on research which sought to identify the major causes of stress and dissatisfaction among lawyers and to correlate that information with measures of lawyers' mental wellbeing (neuroticism), emotional intelligence, and the type of legal education and practical legal training (PLT) they had received.

James, C., *Lawyers' Well-Being and Abstract: Professional Legal Education*, *The Law Teacher*

2008, Vol.42, No.1, pp.85-97. This paper examines the wellbeing and satisfaction levels of lawyers in the workplace. It describes research showing that clinical legal education programs based on real-client exposure are likely to promote the development of interpersonal skills in law students, which in turn may help them cope with stressors in legal practice, especially in the first few years post-admission. Colin James

Rice, S., *Assessing - But Not Grading - Clinical Legal Education*.

Abstract: Learning from clinical method is readily assessable. Legal practice skills - however broadly defined, from drafting and office management to client interviewing and problem solving, from active listening to reflective ethical practice - can be, and are, broken down into component parts, into graduated parcels of competencies, or interlocking pieces of knowledge. Assessment tasks are designed to suit the learning objectives, and we report to students on our opinion of their competencies in identifiable skills and as well in conceptual matters such as lawyers' duties, ethics, and access to justice. Even with reflective journals, when students lay bare their thoughts, their fears and apprehensions, their hopes and revelations, in their, we tell them how well we think they do it. I do not challenge that there will and should be assessment of the clinical experience. What I do challenge is that we take for granted that the assessment will be graded. By graded I mean we do not only tell our students that they seem to know what we want them to know, but we tell them how well we think they know it. We give them a grade for the extent to which we say they have attained the learning objectives. The alternative is to assess but not grade: a system of pass/fail, also known as 'satisfactory completion' 'credit only etc'. Even if a law degree must be graded - and I doubt even that - there is at least one learning objective within a law degree for which for which clinical education is the best method, and which ought not to be graded, and should be assessed pass/fail.

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1061622

Robertson, M. and Tranter, K., *Grounding Legal Ethics Learning in Social Scientific Studies of Lawyers at Work* (2007) *Legal Ethics*.

Abstract: Legal ethics education, in Australia and elsewhere, has emphasised normative accounts of lawyers' professional responsibility. In the alternative we suggest legal ethical education should be informed by social scientific studies of lawyers' work. We argue that these studies reveal that legal practice is permeated with opportunities for choice, despite the rules and contextual factors that influence lawyers' practice decisions. We suggest that teaching that is designed to encourage students to come to terms with both the frequency and the situational complexity of ethical decision making, in the many discretionary spaces that inhabit the lawyer's role, may result in qualitatively better learning outcomes in legal ethics education.

Walsh, T., *Putting justice back into legal education*, (2007), 17 (1/2) *Legal Education Review* 119

Abstract: If 'the lawyer's task is ultimately concerned with justice' (Radin 1937), then one wonders why justice occupies such a marginalised role in legal education. It seems incumbent upon legal academics to ensure that we are graduating students committed to using their degrees to enhance social justice and equality, and who are dedicated to upholding the rule of law. In a survey of 254 law students at the University of Queensland, it was found that many students are increasingly motivated by social justice concerns as they complete their law degrees, and the vast majority of students are supportive of student pro bono and other public interest work. Students also overwhelmingly believed that social justice content was at least interesting, if not central, to their legal studies.

Griffith Law Review

In 2008, Volume 17 Number 1 of the *Griffith Law Review* included a Clinical Legal Education Symposium containing of six articles based on papers presented at the 9th Australian Clinical Legal Education Conference hosted by Griffith Law School at Marcoola Beach in September 2007.



Clinical Legal Education GUIDE 2009 - 2010
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