

CARRICK INSTITUTE : DISCIPLINE BASED INITIATIVES



Work Integrated Learning : A national framework for initiatives to support best practice

Griffith University

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Vignette title and details	<p>Legal Clinic and Advanced Family Law Clinic (AFLC)</p> <p>Both courses are part of the suite of clinical courses provided within the Clinical Program offered to undergraduate students undertaking a Bachelor of Laws. They are based at Caxton Legal Centre, a community legal centre in New Farm, Brisbane.</p> <p>Placements are for one day per week over a semester. Legal Clinic is conducted in first semester. AFLC is offered in second semester and over summer.</p>
Discipline	Law
Employment sector	Community legal centre
Student numbers	6 – 9 students per semester
Optional/compulsory	These courses are for 4 th and 5 th year students who have completed many of their law subjects. Family law is a prerequisite for the AFLC.
Credit bearing?	These courses are both electives worth 10 credit points.
Assessment	<p>Both involve a heavy component of assessment of clinical performance – 60%. The criteria are described somewhat differently but relate to elements of professional practice – knowledge, skills and attitude / values. At a more specific level it involves assessing the students' ability to use their legal knowledge and apply it to the particular situation of a client, to grow in the development of practical skills such as legal writing, interviewing and advocacy and to develop their interpersonal skills, learning to situate their client in a broader social context and developing sense of ethical judgment.</p> <p>Both clinics may involve a short court appearance. This is separately assessed in the AFLC.</p>

	<p>25% relates to participation in and a presentation to a series of tutorials in which the scholarly aspects of the course are consolidated and expanded.</p> <p>In the Legal Clinic the students also design a community brochure on a legal issue which has arisen during the clinic.</p>
Payment	The students are not paid.
Number of staff involved	<p>There is a Griffith practitioner academic on site every clinic day. A solicitor at Caxton also works closely with the students. The Griffith academic leads the tutorials and assesses the students.</p> <p>Across the whole Clinical Program there are at least 4 – 5 full time staff involved in the program (although all have other teaching responsibilities), 2 sessional staff regularly involved, and 3 adjunct staff based in host agencies.</p>
Weblink	
Key Words	<p>Clinical legal education</p> <p>Professional responsibility</p> <p>Legal ethics</p> <p>Legal skills</p>

Overview

The Clinical Program began in the Law School in 1995 when Professor Jeff Giddings opened dialogue with Caxton Legal Centre, the first community legal centre (CLC) established in Queensland, to introduce a clinic for students within the operation of the centre. Professor Giddings came to Griffith with a wealth of experience from the clinical legal education (CLE) program at La Trobe University and experience in CLCs. In many universities the CLE program is based in in-house clinics developed and operated within the Law School. Griffith University chose to forge a partnership with an established community legal centre thereby allowing our students the opportunity to undertake their work integrated learning in a genuine real world setting with real clients, surrounded by the other staff of Caxton – striving to do their own varied work. Griffith now conducts two clinics at Caxton – a general Legal Clinic which operates in first semester and a clinic for students who have successfully completed family law. The Advanced Family Law Clinic provides a unique experience for students who wish to pursue their interest in this subject.

Griffith and Caxton successfully obtained Commonwealth funding for the clinics and this facilitates provision of dedicated staff time, equipment and resources at Caxton and contributes to the salaries of involved Griffith staff together with some library and staff development expenses.

The work undertaken for clients tends to be discrete activities such as providing advice, drafting a letter (which may be sent under the client's own hand) or drafting simple court documents for a self-representing litigant. On occasion the students have the chance to undertake some more on-going work for clients, but the impact on staff of Caxton must be recognised. When the students leave, unclosed files must be allocated to permanent staff – a lesson in file management.

Structure of program

We use a partnership model with Caxton Legal Centre. This provides an unrivalled opportunity for students to see 'poverty law' or 'legal aid' service delivery in action. For students who never enter practice or who end up practising at the 'big end' of town, these are experiences they will never forget. Others will be inspired to seek work at CLCs, Legal Aid or law firms on the Legal Aid Queensland Preferred Supplier list.

The course runs one day per week in a semester. There is an introductory tutorial at Griffith in the first week and an orientation seminar at Caxton in week 2. The client work begins in week 3 with the students initially observing

the client interviews and assisting with the follow-up until, by about week 5, the students begin their own interviewing. They often work in pairs, although they are also encouraged to undertake some individual work – to experience that first moment of being alone in a room with a client. There are generally 6 students, although a model has been developed to allow 9 students in a rotating pattern utilising the evening volunteer sessions conducted by Caxton as part of their attendances¹. At the evening sessions the students have the chance to observe and work with the wide range of Caxton volunteers – many of whom are experienced practitioners from a broad range of firms and backgrounds.

The real client activities bring out a commitment and dedication in students not necessarily witnessed in other courses. Each day the students see clients for the first 3 to 4 hours with their instructions, advice and any documentation carefully checked by either the Caxton or Griffith supervisor. At about lunch time there is a debriefing session in which both the legal concepts and lawyering skills learned are distilled and discussed. The students realise how frequently ethical issues arise when working for real clients. They also realise that the law cannot always, or even often, answer all the issues the clients are experiencing.

One student noted in a subsequent testimonial that clients do not come in with their legal problem wrapped neatly in box. They come in with their life story hoping that the law can offer a solution to some of the things they are struggling with.

The tutorials enhance the scholarly aspects of the course such as: legal skills development (eg. interviewing, communication, writing, advocacy); the different types of lawyers who emerge from empirical research; different approaches to lawyering (eg. traditional adversarial, moral activist, relational); working with a range of clients (eg with disabilities, from culturally and linguistically diverse communities, Indigenous); the history of CLCs and legal aid and the impact on service provision of working for clients with limited resources; and learning ethics in a clinical setting. They are conducted by the Griffith staff with the introductory tutorials presented by an academic and the subsequent ones led by students. The students are encouraged to present their topics in an interactive manner and to draw from the clinic experiences where possible to illustrate.

Special features

Entry into the program is not a reward for academic achievement. Our aim is to provide every student who wants to do a clinic a chance to do so. To date it has been possible to achieve this, although restricted numbers of places and increasing numbers of students may make this difficult in the future.

The students are surrounded by lawyers, social workers and other staff with a genuine commitment to social justice and to working hard for clients with complex and challenging lives. We ensure that our students are deeply immersed in this as it will serve them for the rest of their career. Many become student volunteers after completing their course and continue as volunteers when they commence practice. A graduate of the 2005 Legal Clinic has recently commenced employment at Caxton in its Seniors' Advocacy, Information and Legal Service (SAILS).

Future work

It would be interesting to pursue intentional opportunities to link the student clinic work to research. For example, the AFLC is an excellent site to discover problems / successes with the recent changes to the *Family Law Act*. It may only provide a limited source for empirical information, but it is a catalyst for ascertaining the direction of possible research.²

¹ Space limitations mean that 6 students is a comfortable maximum on any day. Also, this number is manageable for the supervisor. With more students, clients can be required to wait undue lengths of time while advice or other legal assistance is checked.

² Colleagues are currently working on a paper about the child protection system which was inspired by a case at the Caxton clinic.