 

**LEGAL CLINICS IN SERVICE OF VULNERABLE GROUPS: ENHANCING THE EMPLOYABILITY OF LAW STUDENTS THROUGH PRACTICAL EDUCATION**

**ENEMLOS**

**Report for the 2nd day training in the framework of ENEMLOS Project**

**POLISH LEGAL CLINICS IN ACTION - PRACTICAL EXPERIENCE (PART 1)**

***This training has been recorded by UKZ with permission of all partners and in the bottom of it you will find the link in share drive***

10:00 – 12:00 Dr Katarzyna Syroka-Marczewska

Warsaw University Law Clinic - organization of the clinic, student training in the clinic, supervisor’s role in the educational process.

The first session of the 2nd day started with the presentation of the professor Katarzyna about the organizational scheme of the law clinic in Warsaw. She started with:

Civil law (I and II)

Labour law

Criminal law/anti-discrimination

Criminal law – convicts

Medical law (I and II)

Human Rights/refugees - Lawyers for refugees PROJECTS

Harm Reduction Programme (help for drug addicts and HIV carriers) - Harm reduction PROJECT

International Judicature

Administrative law

Programme for innocent persons – COOPERATION

Education as part of the clinical program lasts one academic year and is carried out on three levels, which correspond to the following types of classes for students; Psychological workshop training (compulsory skills course at the beginning of academic year); Seminars (two types);General seminars; Work in sections (section seminars); Meeting with the clients

Initial verification of matters and assigning them to the appropriate thematic section is carried out by the office manager during a telephone or personal conversation with the client. It checks, in particular, the client's financial situation. The Warsaw Legal Clinic provides advice only to people with low financial status. A case is assigned to a specific pair of students depending on the client's time order and the order in which cases are received. A given pair of students conducts all the affairs of the client assigned to them until their completion. The Warsaw Legal Clinic also responds to letters sent by clients, but only for prisoners.

She continued with the question: What does a typical customer service look like? It was an open question for the participants, then she explained that the client should:

* A client, after obtaining information about the Clinic, most often from the media, brochures or acquaintances, calls or comes to the Office to make an appointment. After COVID only online/phone contact.
* A pair of student interviews the Client at the agreed time, determines the factual circumstances of the case and obtains copies of documents, if needed.
* Students prepare a draft of the opinion and present it at
a seminar in a given section.
* After the coordinator accepts the legal opinion, the students prepare the final version of the opinion which they present to the client or prepare drafts of appropriate statements of claim.

The duration of the whole procedure depends on the complexity of the case, on average it takes 2-3 weeks, except cases pertaining to refugees, where the case is monitored after it is initiated and until it is resolved

She presented the clinic spaces through some photos, where are developed all above activities. Then the other part of her presentation was about the success of their clinic.

Cases won (e.g. against TPSA., A. Tysiąc vs. Poland, annulments, appeals, where the drafts of the statements of claim were prepared by our students); Obtaining a refugee status and tolerated residence permits in a few dozen cases; Participation in the preparation of the draft of the Act on Counteracting Domestic Violence; Second place in an international refugee moot court competition organised by the Hungarian Helsinki Committee in 2006; Own script of a clinical education programme, clinical teaching course book, information brochures and other publications; Successes of out graduates who after a period of cooperation were employed at, for example, the Office of the Human Rights Defender, non-governmental organizations, e.g. Helsinki Foundation for Human Rights, Women's Rights Centre, Polish Federation for Women and Family Planning, Nobody's Children Foundation, The Committee for Protection of Children`s Rights, Polish Association for Persons with Mental Handicap

The Warsaw legal clinic had:

* more than 17 800 cases were submitted in total during almost 23 years of the Warsaw Legal Clinic’s operation
* During the 23 years almost 2300 students participated in clinical programme
* 2018 - 20th anniversary of the Warsaw Legal Clinic
* On December 7 and 8, 2018, a conference was held at the Faculty of Law and Administration of the University of Warsaw to celebrate the 20th anniversary of the Warsaw Legal Clinic. This joyful occasion was also a time of exchanging experiences and academic discussion devoted to clinical teaching and the future of student legal clinics in Poland and in Europe.

The third section of this presentation was for the students training in legal clinics. She [resented the following types of the trainings or meetings: Psychological workshop training; Seminars (two types): General seminars and work in sections (section seminars); Meeting with the clients

The supervisor’s role in these trainings is to:

* Teaching students legal knowledge and practical skills.
* Teaching students how to interview the client
* Teaching students how to prepare legal opinion/legal papers
* Increase the social awareness of law students
* Promote the idea of pro bono work among future lawyers

The Legal Clinic provides students with a unique opportunity in the course of legal studies at the Faculty of Law and Administration of the University of Warsaw to gain practical skills in providing advice to clients and solving legal problems.

A few rules of work at the Warsaw Legal Clinic:

* The student cannot provide any legal advice to the client without prior consultation with the coordinator and obtaining his approval.
* Within the section, students always work in pairs (2-3), and they work on their own on the responses to the letters sent by clients.
* Students working at the Legal Clinic are not allowed to provide any legal advice over the phone.
* Each student is required to exercise due diligence in handling the assigned case, in accordance with their knowledge and skills.
* A student working at the Legal Clinic is responsible for the case under similar rules as a professional lawyer.

In the fourth section she explained he personal experience in the legal clinics. EDUCATIONAL GOAL: improve the quality of teaching for students at the Faculty of Law and Administration by incorporating the practical application of law into the programme of studies and introducing new methods of teaching:

As a clinical teacher (coordinator):

* I should prepares students for their first client meeting
* I teach the students how to prepare the legal opinion
* Cooperation with laywers for example LINKLATERS and the Kieszkowska Rutkowska Kolasiński law firm
* Active methods

Questions and discussion

12:00 – 13:00 Break

13:00 – 15:00 Dr Paweł Łabieniec

Łódź Legal Clinic - student work evaluation, types of clients in the clinic, legal ethics in legal clinic

The second part of the 2nd day started with the presentation of the coordinator of the student clinic of law. He started his presentation with criteria for obtaining a credit for classes in the clinic of law, which are:

* completion of all conducted cases by a pair of students,
* completion of all obligatory additional classes: office training, psychological training, legal ethics classes

Also, the other criteria on justifying the note that the student is awarded are:

* the number of cases completed during the whole period of time of the students activity in the Clinic of Law,
* the average time of solving the case,
* the substantial value of prepared opinions and drafts of letters

Types of clients in the clinic considering the way of obtaining information about the Clinic of Law

* clients who obtained information from friends,
* clients who obtained information in the secretary’s office of the court,
* clients who obtained information from the Police,
* clients who found information in the Internet,
* clients who obtained information from other sources

Types of clients in the clinic according to a psychological profile: „factual client”, „claiming client”, „lost client”, „expert client”, „ghost client”, „client – researcher”, and a special type of client: client - prisoner

Pervasive method of teaching ethics - Forms of teaching ethics in Clinic of Law:

* Obligatory lecture for all students of law (exam)
* Workshops on ethical problems in clinic of law
* Consultation of ethical problems with the supervisor. Also, he suggested a handbook on:„PROFESSIONAL LEGAL ETHICS – IN THEORY AND CASE STUDIES”, Małgorzata Król (ed.),

Magdalena Klauze, Sylwia Wojtczak,

Małgorzata Wysoczyńska, Paweł Łabieniec

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It was an open discussion from all participants.

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| --- | --- | --- | --- | --- |
| **Name** | **Institution** | **Position** | **Signature** | **Signature to publish photos** |
| Urtak Hamiti | UKZ | Professor | yes | yes |
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| Luljete Berisha | UKZ | IRO | YES | YES |
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| Pterit Nimani  | UHZ | Prof.Ass.Dr | Yes | Yes |
| Valëza Kastrati  | UHZ | Teaching Assistant -part time  | Yes | Yes |
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| Fadil Osmani | UKZ | Prof.Ass.Dr. | YES | YES |
| Detrina Alishani Sopi | UKZ | Teaching Assistant-Full time | Yes | Yes |
| Zenel Hasanaj  | FLA -Ofice in Peja  | Free Legal Aid Officer  | Yes  | Yes  |
| Adhurim Bugari | Bar Association | Lawyer | Yes | Yes |
| Erblina Krasniqi | Bar Association | Lawyer | Yes | Yes |
| Aferdita Bislimi | Bar Association | Lawyer | Yes | Yes |
| Egzon Lajci | Bar Association | Lawyer | Yes | Yes |
| Valdet Zeqiri | Bar Association | Lawyer | Yes | Yes |
| Kosovare Namani | Bar Association | Lawyer | Yes | Yes |
| Adnan Abdullahu | Bar Association | Lawyer | Yes | Yes |
| Driton Berisha | Bar Association | Lawyer | Yes | Yes |
| Sametin Cena | Bar Association | Lawyer | Yes | Yes |
| Driton Haliti | Bar Association | Lawyer | Yes | Yes |
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| Fortesa Hoti | Bar Association | Lawyer | Yes | Yes |
| Besim Abdullahu | Bar Association | Lawyer | Yes | Yes |
| Albulena Ukimeraj | Bar Association | Lawyer | Yes | Yes |
| Arsim Krasniqi | Bar Association | Lawyer | Yes | Yes |
| Filip Cernizki | PLCF | Dr | yes | yes |
| Ivan Simonovic | University of Montenegro | IT expert | Yes | Yes |
| Rilind Sermaxhaj | Basic Court | Judge | Yes | Yes |
| Bedri Peci | UP | Professor | Yes | Yes |
| Mirlinda Batalli | UP | Professor | Yes | Yes |

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**Useful links:**

<http://www.fupp.org.pl/down/client_information.doc>

<https://www.wpia.uw.edu.pl/pl/klinika-prawa/dokumenty-klinika-prawa>

[www.gaje.org](http://www.gaje.org)

<http://www.fupp.org.pl/down/legal_clinic.pdf>

<http://encle.org/>

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