

AALS 2004 Annual Meeting

Section on Part-
Time Programs
January 6, 2004





AMERICAN UNIVERSITY
WASHINGTON COLLEGE *of* LAW

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Clinical Education for Part-Time Division Students



The part-time division at WCL

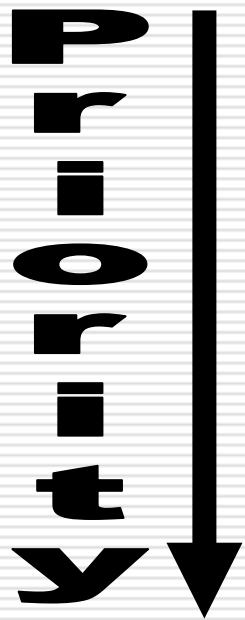
□ Fall 2003

- 89 students in the 1st year part-time program
- 315 students in the 1st year full-time program

□ 2003-2004 academic year

- Approximately 400 students in the four years of the part-time program
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Motivation for creating an evening clinic



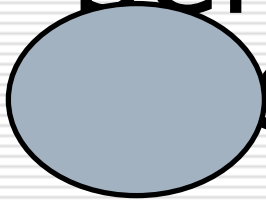
ABA Standards

SBA Initiative

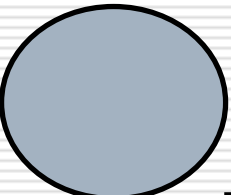
My students

ABA Standard 301. Objectives.

- (c) A law school shall ensure that its educational program, co-curricular programs, and other educational benefits are available to students.



ABA Standard 302. Curriculum.

- (c) A law school shall offer in its J.D. program:
 - (1) adequate opportunities to  students for instruction in professional skills
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SBA Initiative

- Through the delegate representing part-time students, a request was made to the dean to create a clinic to serve true part-time division students (who worked full-time during the day).
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My students

- I sometimes teach traditional classes in the evening (Civil Procedure and Health Law)
 - I sometimes guest teach in other courses (Property, Family Law)
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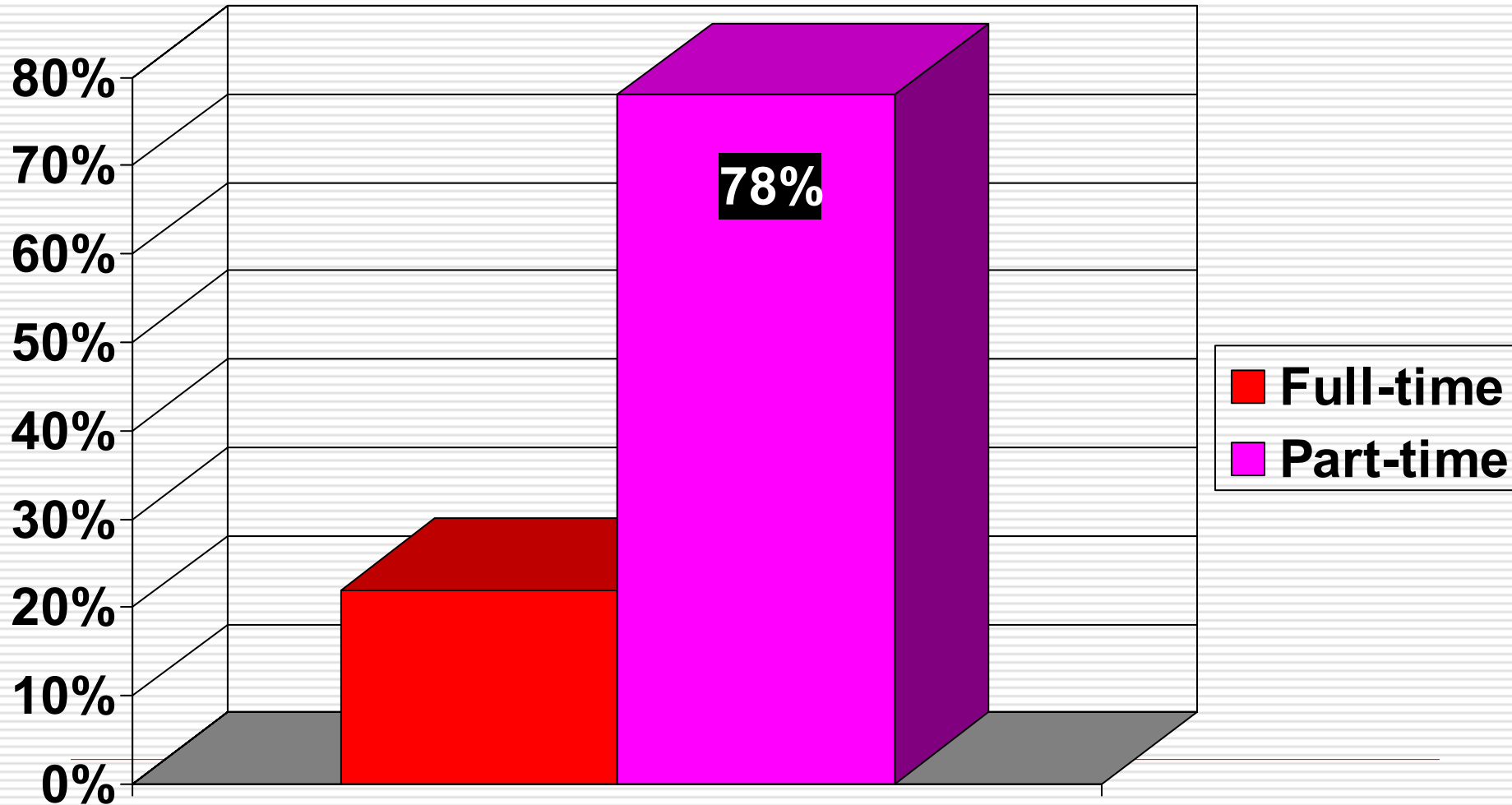
My students

- I often use examples from cases students have handled in the clinic
 - Part-time division students wanted to know why they could not have those experiences
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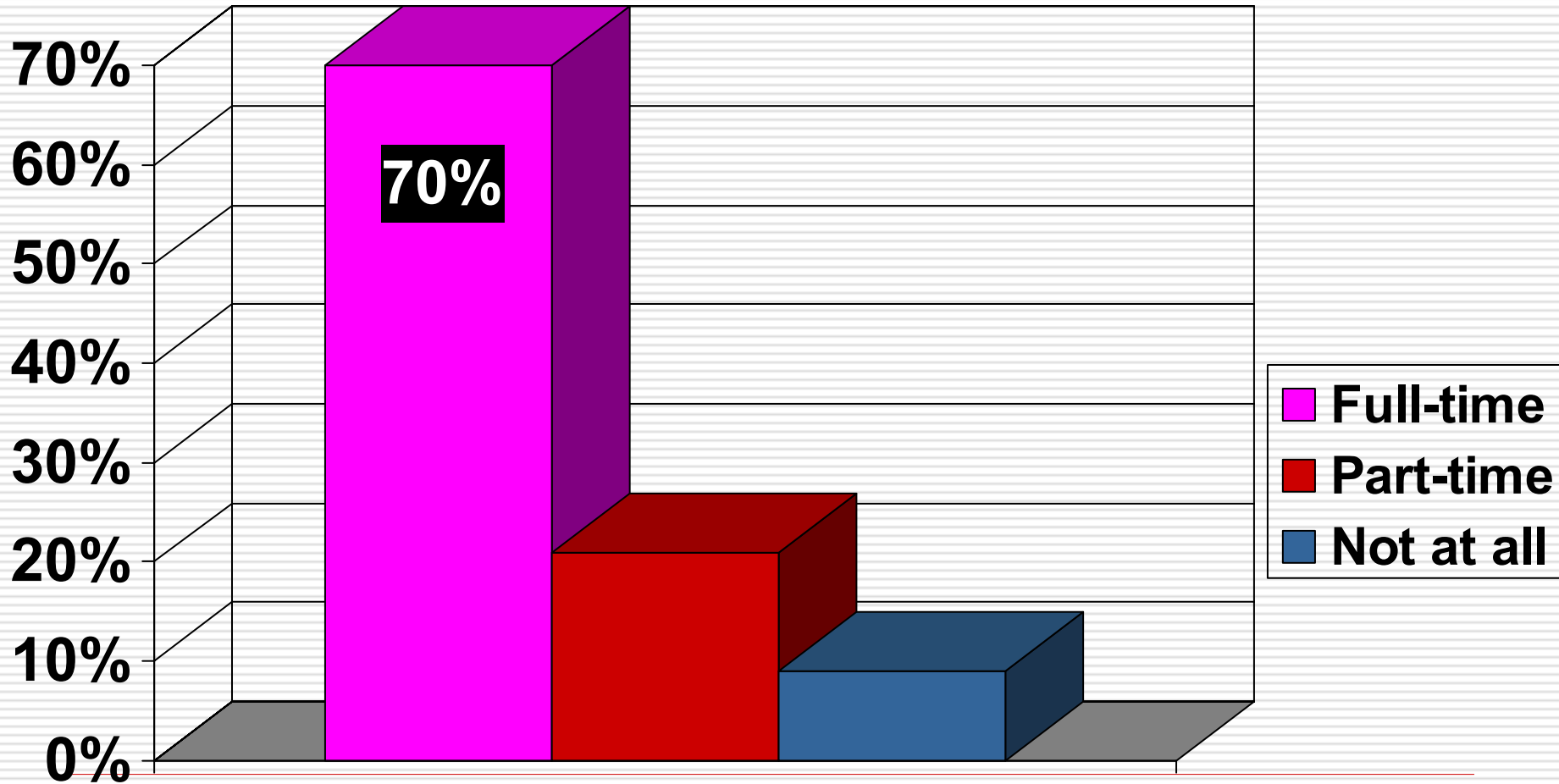
Survey of students

- Spring 2001
 - Surveyed second-year part-time students
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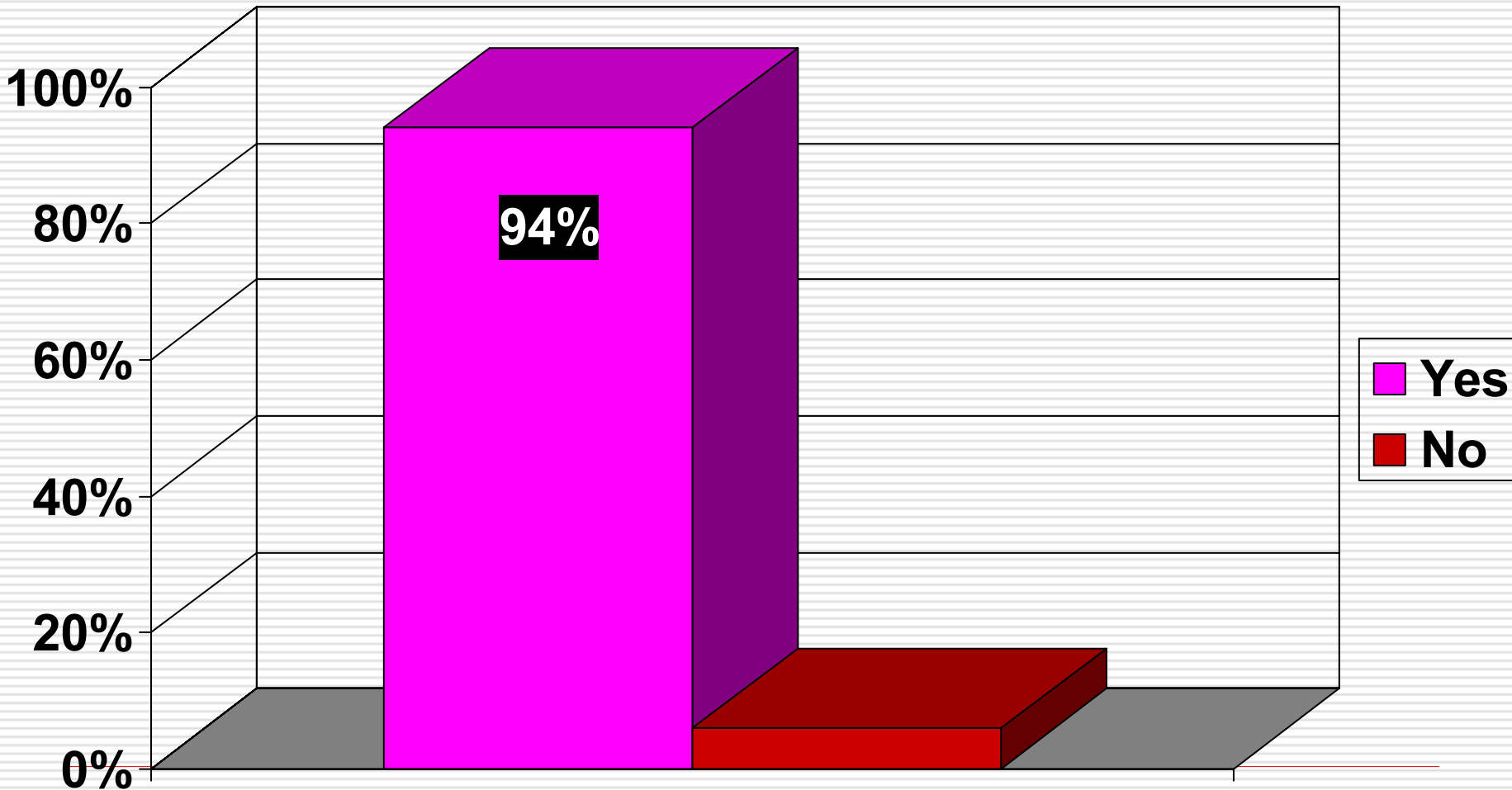
I am attending law school:



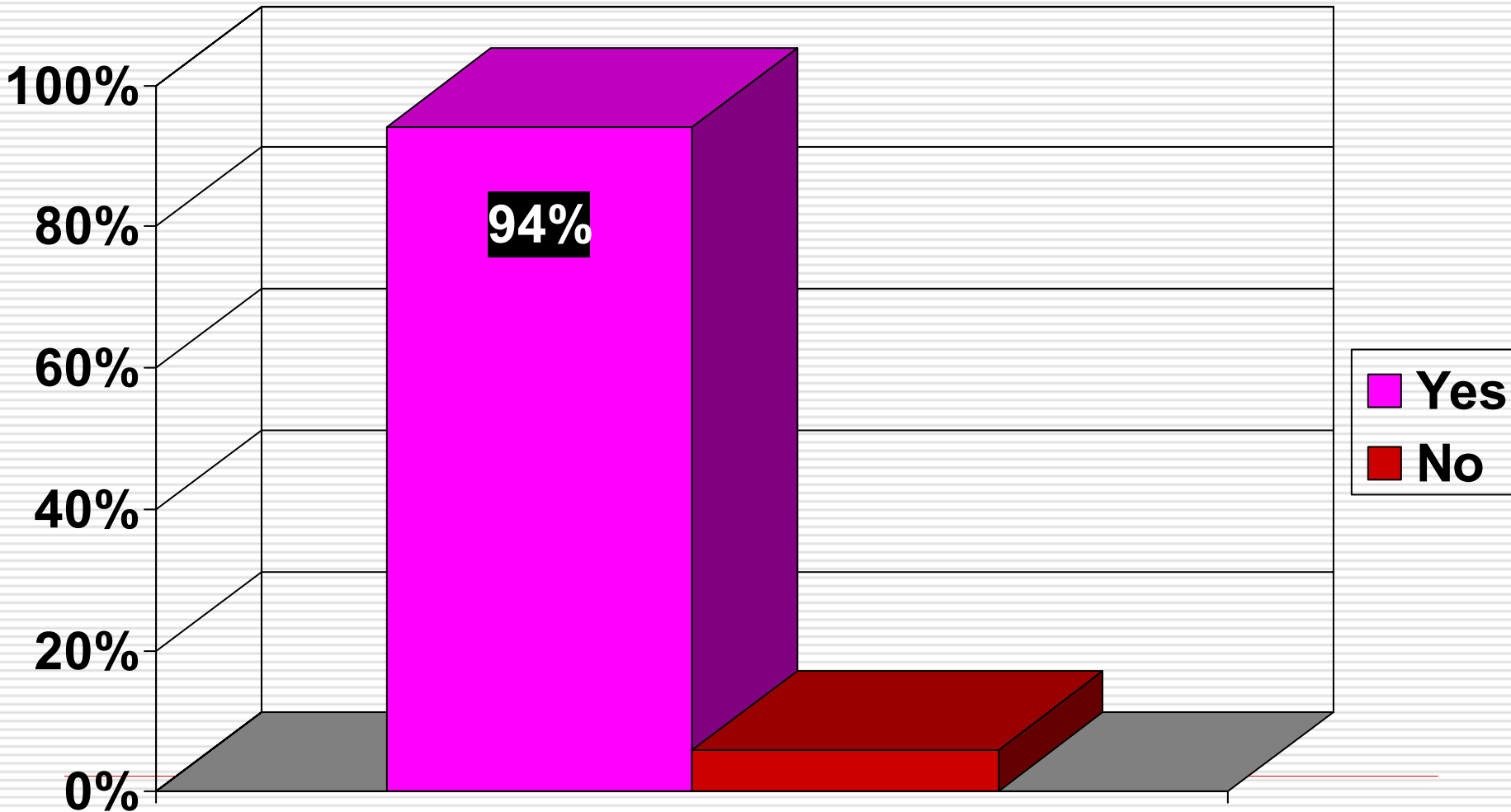
I am working:



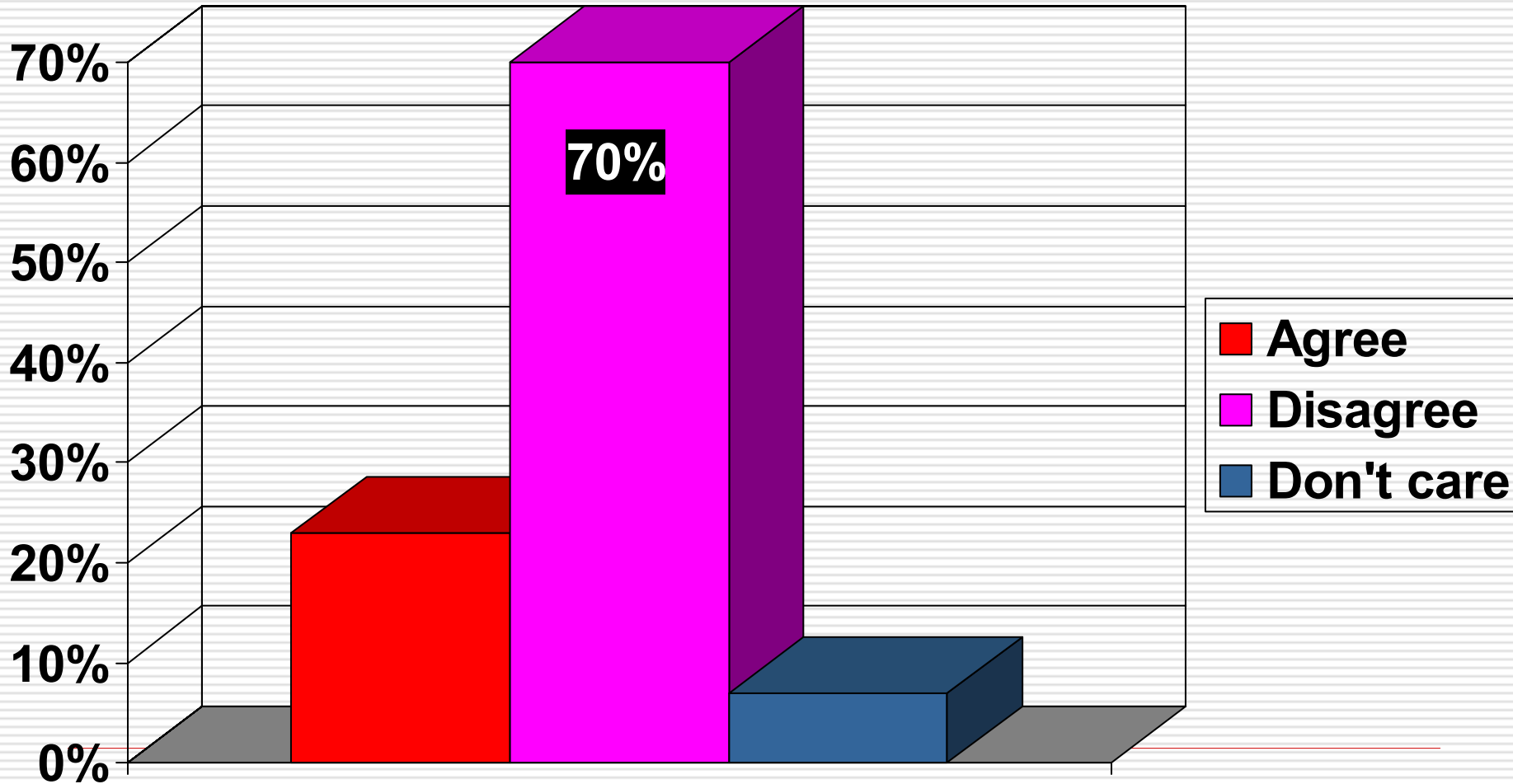
Would you like to have the opportunity to enroll in a clinic that meets in the evenings?



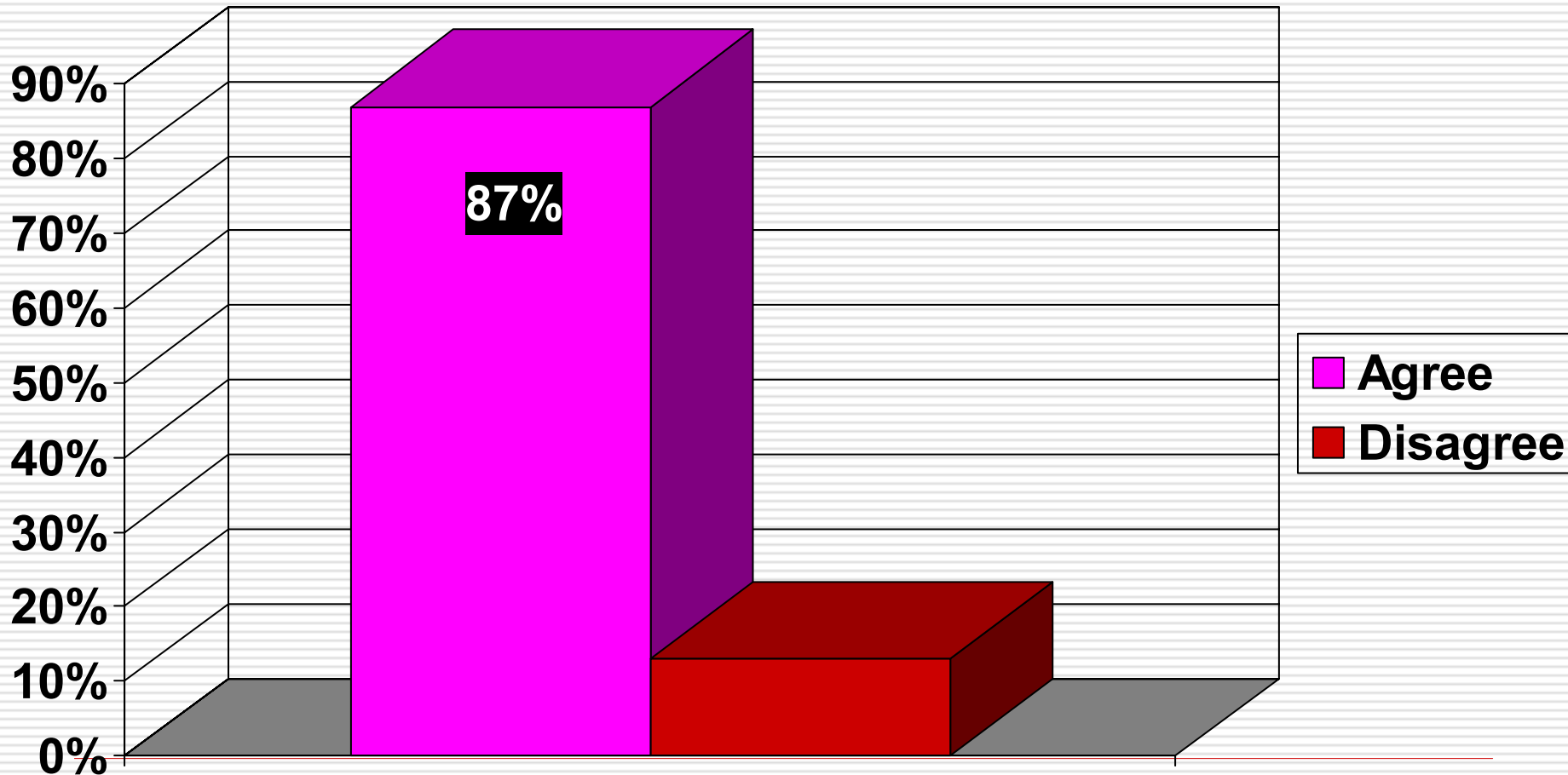
If an evening clinic were offered that fit in with your schedule, would you enroll?



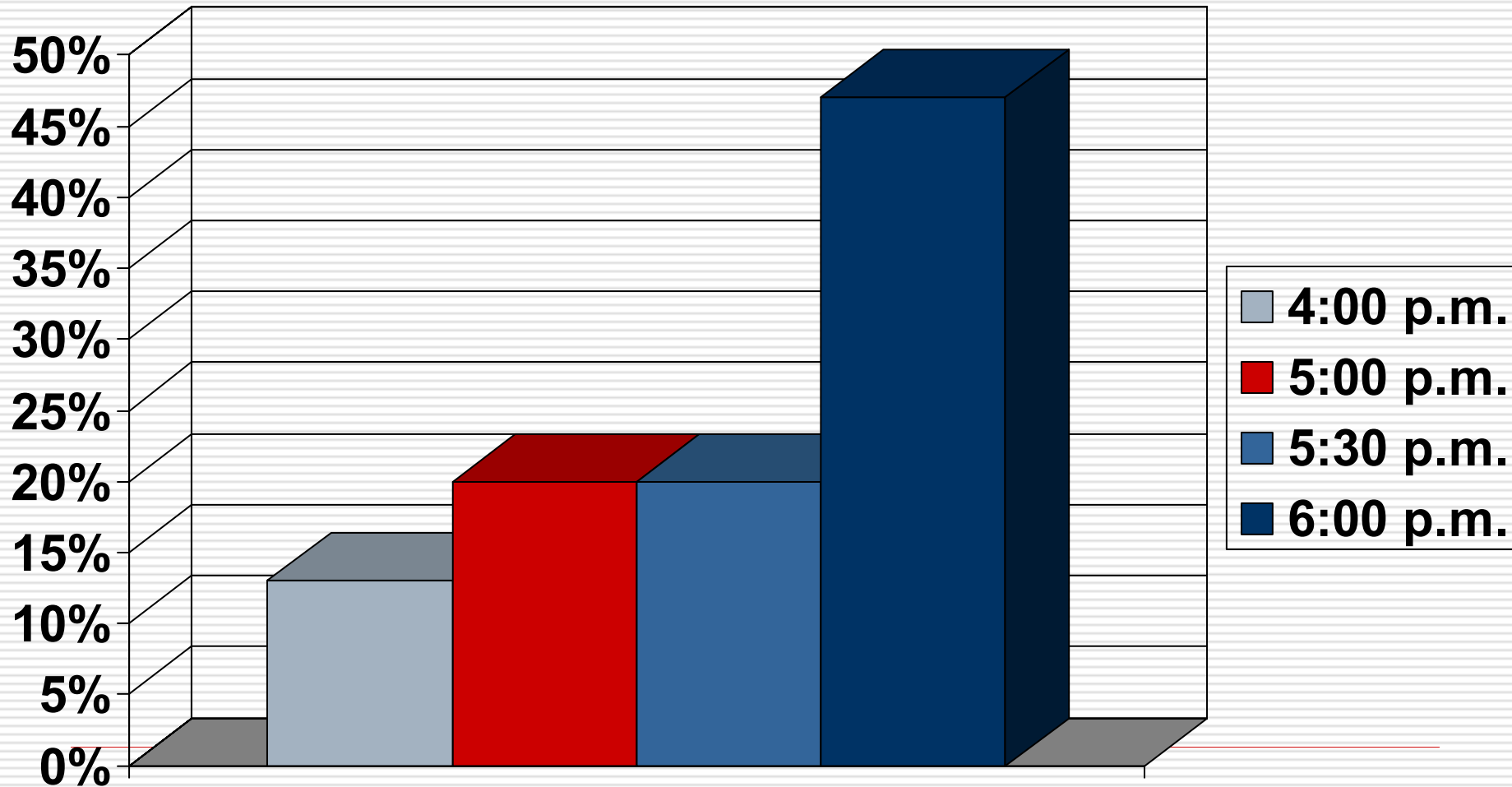
I would prefer an evening clinic that did not include litigation.



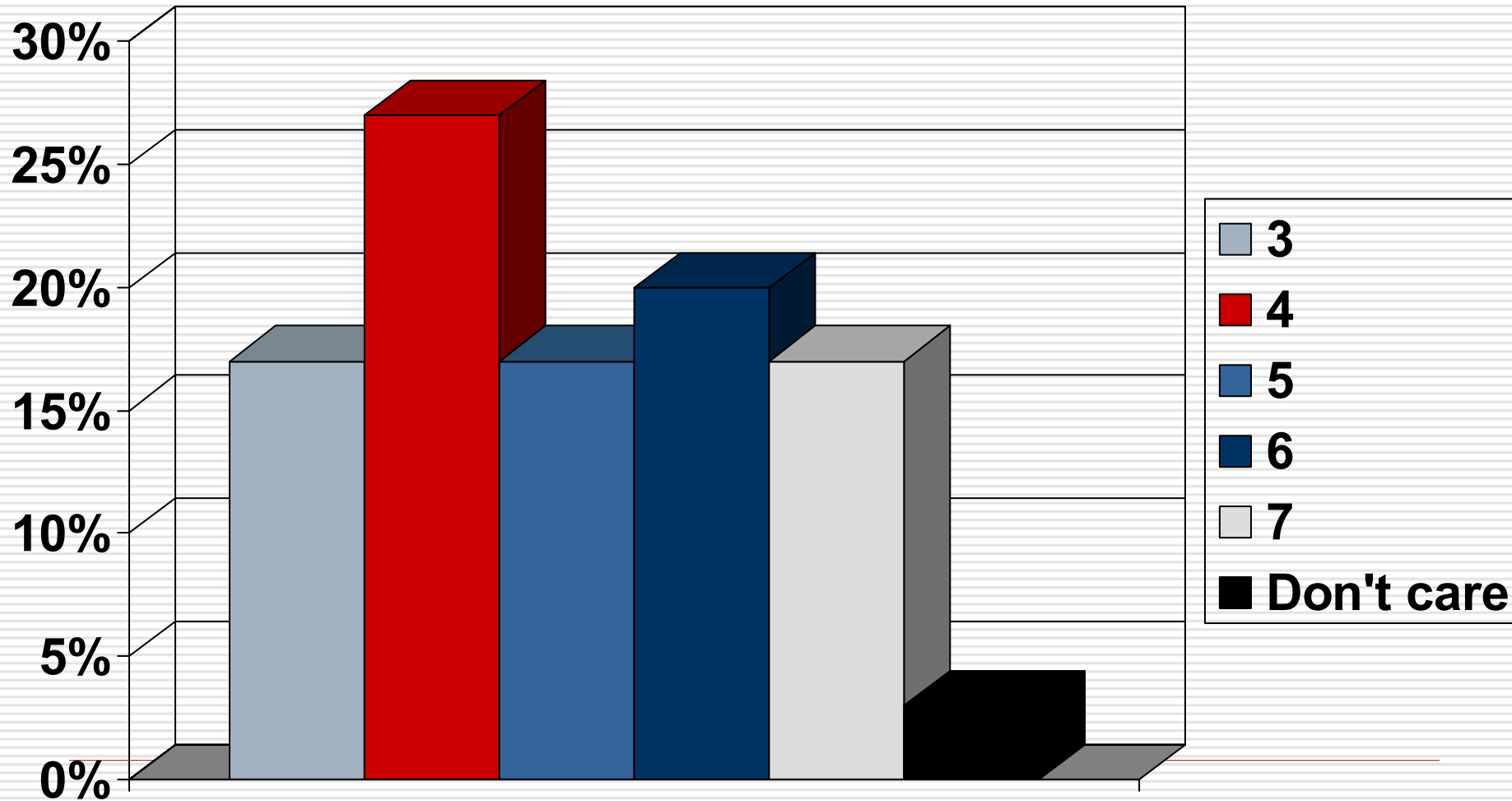
I would like to have the opportunity to go to court once or twice a semester so long as the dates were known far enough in advance so that I could rearrange my work schedule.



The clinic seminar could begin as early as:



The optimal number of clinic credits (including fieldwork and seminar) would be:



Results of survey

□ Spring 2001

- Took results to Curriculum Committee

□ Fall 2001

- Began the first section of the evening clinic
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Design of the Clinic

- Students can represent clients with any kind of legal problem
 - Students can provide a range of legal services to their clients
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Design of the Clinic

- ❑ Some opportunity to tailor legal work to special interest areas of students
 - ❑ Case assignments are tailored to the availability/schedule flexibility of students
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Design of the clinic

- Seminar – 2 credits
(compared to 3 credits for the day clinic)
 - Fieldwork – 3 credits
(compared to 4 credits for the day clinic)
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Design of the clinic

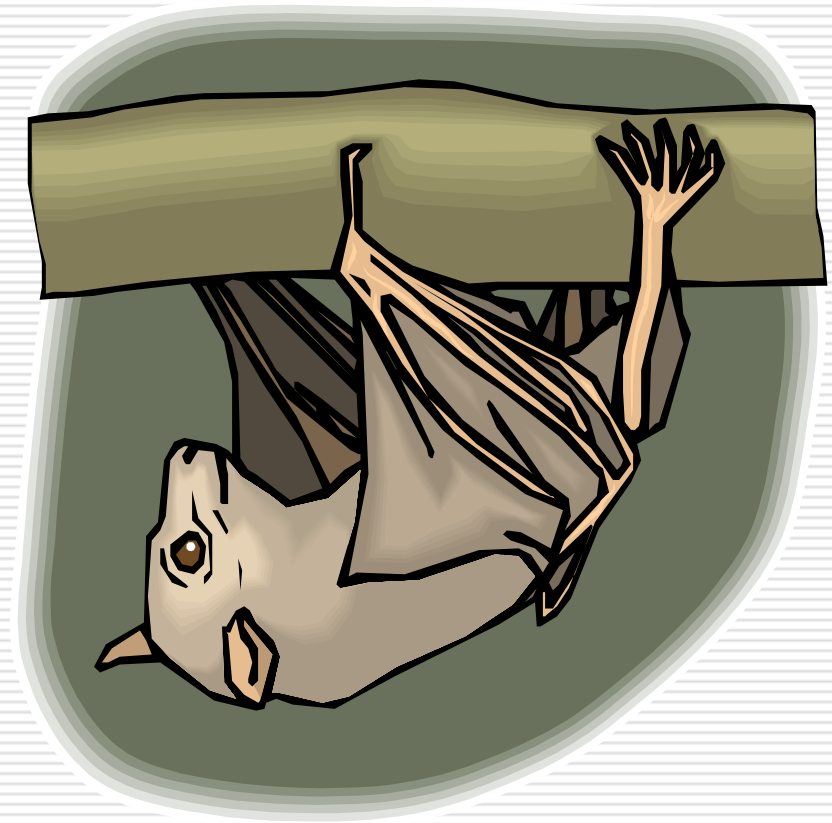
- We separate clinic into two components to protect students in those states (like New York) that limit the number of credits students can earn outside the classroom
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Design of the clinic

- ❑ Students work in teams of two
 - ❑ Each team ordinarily handles two cases at a time
 - ❑ Students do most of their work on evenings and weekends, but often steal some time during the workday
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Lessons learned

- Part-time students are not like full-time students who happen to attend school at night
 - They do not hang upside down during the day



Lessons learned



- They lead very busy lives
- Even the best-intentioned students have only limited control over their schedules if they work during the day



Lessons learned

- One constantly needs to ask the question: “How can I maximize the benefits of their clinical experience within the limited time available?”



(Positive) lessons learned

- If you build it they will come
 - Part-time students will register for clinic
 - They will do extremely well in their work
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(Positive) lessons learned

- They will greatly appreciate the experience as they try to make the transition to lawyer, often from full-time non-legal work
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(Negative) lessons learned

- They will come late or miss class more often because an employer will send them out of town or keep them late
 - They will be exhausted by the time that they come to class and will need to be energized
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Lessons learned

- ❑ Assigning students to work in teams is essential to anticipate contingencies
 - ❑ They will need additional logistical support to compensate
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Lessons learned

- Additional logistical support can include virtual office hours, increased use of courier services and paid experts
 - Supervising attorneys may also need to play a greater support role (without intervening in the student attorney-client relationship)
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Lessons learned

- There are some students who, despite high motivation and good intentions, because of work and other responsibilities, do not belong in an evening clinic (and probably not in law school)
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Lessons learned

- Few faculty members will want to teach in an evening clinic on a long-term basis
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