



OVERVIEW OF THE THOMAS & MACK LEGAL CLINIC INTERDISCIPLINARY MODEL

The Thomas and Mack Legal Clinic is a multidisciplinary law office in which specially licensed law students, and graduate level social work, education and psychology students, under the supervision of law faculty, represent and advocate for child and adult clients in a variety of legal matters including child welfare, juvenile justice, immigration, and capital defense. The Clinic is an approved field placement for social work students earning bachelors and masters degrees and the Forensic Social Work Certificates. These students are also supervised by the Clinic social worker. Education students are also supervised by a professor with a joint appointment in the School of Law and the UNLV College of Education who teaches a practicum for these students through the College of Education. Students studying for their PhD in clinical psychology also use the Clinic as a field placement under the oversight of the UNLV Psychology Department's Associate Director of Clinical Training.

The Thomas and Mack Legal Clinic operates on an attorney-centered model in which social work and education students and faculty are part of the legal team. Thus, the Clinic's internal policies and procedures are structured to ensure that the actions of all lawyers, law students, and non-legal professionals and students in the office are compatible with the professional obligations of lawyers in Nevada, including confidentiality and avoidance of conflicts of interest. The role of the non-legal professionals and students is to provide expertise to the faculty and student lawyers; help the lawyers assess or understand clients, social, psychological and educational services, and client-related records; find and assess resources; and help lawyers communicate with clients and social service providers. The non-lawyers do not have ultimate decision making authority on client matters and do not testify. The non legal professionals and students (currently social work, education and psychology) sign an agreement that acknowledges they are part of the legal team and they are bound by attorney rules of professional conduct. The Clinic also has a policy regarding mandatory report of child abuse and neglect which governs all faculty, staff and students in the Clinic.

Faculty

Annette Appell (Law)
Mary Berkheiser (Law)
Michelle Carro (Psychology)
Ina Dorman (Social Work)
Joan Howarth (Law)

Kate Kruse (Law)
Pamela Mohr (Law)
Rebecca Nathanson (Education)
Leticia Saucedo (Law)
David Thronson (Law)

**Thomas & Mack Legal Clinics, Child Welfare Clinic
Williams S. Boyd School of Law**

**AGREEMENT TO MAINTAIN CONFIDENTIAL CLIENT INFORMATION
SOCIAL WORK STUDENT**

As a social work student enrolled in a field placement at the Child Welfare Clinic of the Thomas and Mack Legal Clinics, I agree that, as a condition of being fully engaged as a member of the legal team and, thereby, obtaining confidential client information, I agree to maintain the confidentiality that information at all times, including after my field placement ends. I understand that confidential client information includes both information and materials that the client tells or gives me and non-public information that I receive as part of the legal team representing the client. I further agree that:

I have reviewed the Nevada Supreme Court Rules of Professional Conduct for lawyers (“SCR”).

I have read the clinic policy on mandatory reporting of child abuse and neglect and agree to abide by that policy.

The supervising attorneys at the Child Welfare Clinic are required to make reasonable efforts to assure that I conduct myself in a manner compatible with the professional obligations outlined in the SCR (SCR 187).

As a member of the legal team, I am bound by SCR 156 which states, in pertinent part: “A lawyer shall not reveal information relating to representation of a client unless the client consents after consultation. . . .”

SCR 159 prohibits the use of information relating to the representation to the disadvantage of the former client except . . . when the information has become generally known. So, if I am employed by, or otherwise have contact with, an agency that is involved with any Child Welfare Clinic clients about, or from, whom I obtained confidential information, I cannot use any of this information to the detriment of the Child Welfare Clinic client.

During the field placement and thereafter, I will maintain a list of the Child Welfare Clients about, or from, whom I obtained confidential information so that I can consult it as needed in future endeavors to determine whether they present a conflict with these former clients. If such a conflict presents itself, I will remove myself from any involvement in the matter, inform the Child Welfare Clinic of the conflict, and inform my employer or supervisor of the conflict and the need to build an informational wall between me and the conflicting matter.

Student

Date

WILLIAM S. BOYD SCHOOL OF LAW
THOMAS & MACK LEGAL CLINICS
Spring 2006 Orientation

Introduction to Multidisciplinary Representation

(One purpose of this exercise is to introduce students to interdisciplinary collaboration. This is accomplished by assigning students to homogeneous groups (i.e. law students only) or multidisciplinary groups (i.e. law, social work, education, psychology students) to discuss the scenarios and address the questions. The differences between solely legal representation and multidisciplinary legal representation are highlighted and discussed.

A second purpose of this exercise is to illustrate that clients often remain in “the system” for extended periods of time. This is demonstrated by conveying to the students at the end of the exercise that the client in each of the scenarios is actually the same client.)

One part of the orientation will be discussion of three scenarios that represent some of the issues typically addressed in each of the clinics. We intend this part of the orientation to introduce each student to some of the issues of the various clinics, and in particular to present some of the ways that our interdisciplinary collaborations, using the professions of law, social work, and education, inform our representation of clients.

For each of the scenarios, please discuss the following interrelated questions:

What more would you want to know? How would you learn it? How would you prioritize?

What are the client=s options?

What would be the best result? How would you determine what position to advocate?

You may want to pay particular attention to the scenario for your clinic, but please be prepared to discuss all three. Being prepared means having written notes addressing these questions as to all three scenarios. You do not need to conduct any outside research for this assignment.

Child Welfare/Education Client

Our client is a 12 year old boy who is in foster care. He came into state care about 18 months ago, after his mother gave birth to a drug exposed child and the state took the client and his infant brother and 2-year-old sister into protective custody. His siblings were placed with their father (not the same man as our client's father) and their cases were closed.

Since entering foster care, our client has had about 5 different homes. First, he went to ChildHaven. Then he was placed in a foster care with a family that had a son about our client's age. The state moved our client because he and the foster parents' son fought with each other. His next placement lasted about two months before the state discovered that his foster mother had physically abused another child in the home. After that, he was placed back in ChildHaven until another home could be found. The next foster home lasted for over a year, but he had to be moved again when the foster parents were forced to move back east to take care of a sick relative. Currently, he is in a therapeutic non-adoptive foster home. Our client has been held back one grade. It is not clear yet if that is because of all of the moves or because he is having other difficulties in school. Apparently, he has had discipline problems at each school he has attended. He did not pass the fifth grade reading or mathematics tests. He has had a series of RPCs (required parent counseling), where he is not allowed to attend school until the parent has met with school officials and one ten day suspension. The home has called the police on the client once when he misbehaved.

During all this time, his mother has been working her case plan which is designed to correct the conditions that led to the children's placement – primarily her drug use. She has not been very successful in her plan. She has been in and out of drug treatment, relapsing frequently. When sober, she has attended drug counseling and psychotherapy sessions mandated by the plan. Recently, she has been living in an apartment with her new boyfriend and has been more stable. She has been fairly consistent in keeping contact with our client. Although she does not visit or contact him when she is using drugs heavily, when she is not, she visits and calls him and brings him gifts. The family's social worker told you that she has little hope for the mother ever getting off of drugs.

You met the client briefly at court. He told you that he wants to be returned to his mother so that he can help take care of her like he used to. He also expressed concern about how his siblings are faring. He has not seen or heard about his siblings for over one year and would like to visit with them. He has no interest in staying with his current foster family. He says they're OK, but he's ready to go any time.

The court appointed the Child Welfare Clinic to represent him because the time is approaching for the court to determine what the permanent plan for the client should be: whether his case should be moved toward termination of parental rights and adoption or whether the goal should remain return home to his mother.

Juvenile Justice Client

Your client is a 14-year-old boy currently in juvenile detention. He was arrested following an incident at school, in which he was called to the dean's office to investigate threats that he allegedly made against another student. Upon being confronted about the threats, he became angry, saying, "I don't need this bullshit," and pushed his way out of the office, apparently shoving the dean into a door in the process. When the school police officer pursued him, he allegedly pushed another kid off a bicycle and took flight. Metro police joined the chase and eventually cornered him in a nearby park, where he was arrested and booked into juvenile detention. Police recovered a small bag of marijuana at the scene of his arrest, which they claim fell out of his backpack. He is charged with battery on the dean, theft of the bicycle and possession of marijuana.

At the detention the next morning, the hearing master continued his detention pending his plea hearing, which is set for next week. At the plea hearing, he will have the choice to admit the charges or deny the charges and schedule a contested hearing. He tells you that he doesn't think he pushed the dean, that the bicycle belonged to his friend who saw him running away and allowed him to borrow it, and that the marijuana is not his (and he doesn't know anything about it).

The school suspended him pending a required parent/child meeting. The school representatives have indicated that they intend to take action against him. Later, when you talked briefly with him to review his petition, it did not appear that he could read at all.

After reviewing your client's record, you see that he has a prior juvenile petition as the subject minor in a neglect proceeding that was opened about four years ago, and a petition for truancy earlier this year. Your client's father is in prison for a series of armed robberies. You speak with your client's paternal aunt, with whom he has lived for the past year. You find out from the aunt that her nephew is rarely at home. He spends a lot of time on the streets, and is sometimes gone for days at a time without her knowing where he is. He was suspended from school for fighting earlier this year after he got into an altercation with another student during an assembly, and his school attendance record in general has been poor. Sometimes he is "moody," and refuses to get out of bed or leave his room. She says he is prone to violent outbursts of temper in which he will break things, and although he has never physically harmed her, she is afraid of him, so she lets him do what he wants. She is unsure whether she is willing to have him continue to live with her.

Immigration Client

Your client is an eleven-year-old boy from the Dominican Republic. His mother was very young at the time of his birth and she left the Dominican Republic soon after your client's birth to join his father in New York. Your client lived in the Dominican Republic with his grandmother until her death when he was age six.

Soon after his grandmother's death, your client entered the United States traveling with an aunt who is a legal permanent resident here. When entering the country, he used the birth certificate and passport of his aunt's son, who was born in the United States.

Upon arrival in this country, he was reunited with his mother, who was then living in Las Vegas with a United States citizen who is not your client's father. His mother does not have legal immigration status. Soon after your client's arrival, his mother married the man with whom she was living and the couple had a child soon after.

The new husband filed immigration papers for your client and his mother on two occasions, but each time he withdrew the applications as the time for final adjudication approached. The relationship between your client's mother and her husband deteriorated over time. After three serious instances of domestic violence between them, they were divorced.

Six months ago, the state removed your client from his mother's home and took him into protective custody. He is now in his second foster care placement. During his time in foster care he has experienced only minimal contact with his mother.