

Clinics Abroad Panel—May 20, 2002
Information on the Jagiellonian University Clinic, Kraków, Poland

In 1997, Jagiellonian University commenced three in-house clinical programs: civil law, criminal law, and human rights/refugee law. The following school year a labor law clinic was added. The Director of the Clinic is Maria Szewczyk, a former Vice-Dean of the law school and Chair of Criminal Law, who also does supervision in the criminal clinic. Professor Szewczyk and the Directors of the other three clinics are at this conference: Dr. Halina Nieć (human rights/refugee); Dr. hab. Fryderyk Zoll (civil law); Dr. Leszek Mitrus (labor law). The attached chart shows the numbers of students who have enrolled and cases handled by the clinics.

The civil clinic provides written opinions to people on the legal issues in their cases. In American terms, that part of its operations might be termed an “advice only” service, but in Poland, this service has greater implications. The Polish legal system affords a much broader right to counsel for indigents in civil cases than the American system, and petitions prepared by the students can be used to assert this right. The civil clinic also has found two ways to appear in court: through representation as guardians for absent people and by forming a non-profit association, which is empowered by Polish law to represent people in consumer, alimony, and child support cases. The clinic also represents some clients through a negotiation stage.

The labor law clinic operates through opinions in a manner similar to the civil clinic. Labor law in Poland refers to a range of legal matters on regulation of the employment relation and social security.

The criminal clinic also provides advice about the proceeding in the criminal justice system to those accused and in some instances to victims who are seeking redress in the court system, particularly in domestic violence cases. They also advise prison inmates including referral to the other clinics as necessary for the legal issues raised. Until a recent statutory change, students were able to appear in the lowest court in minor criminal matters.

The human rights/refugee clinic originally primarily represented people in a refugee center outside Kraków. With its closing, the students travel monthly to a refugee center in Lublin. Now, also, as the clinic has become well known, they have requests for representation from refugees who find them. Working with the clinic’s cooperating advocate, the students represent refugees in the Polish administrative procedure. Students advise clients to write complaints regarding infringement of human rights to the European Court for Human Rights in Strasbourg. JU was the first law school clinic to be funded by the United Nations High Commissioner on Refugees, and their example encouraged UNHCR to include promoting and some funding of legal clinics as part of their effort to provide representation to refugees throughout the region and beyond.

The clinic, along with two other Polish university clinics, is now in its second year of a cooperation contract with the Polish Ombudsman. The Ombudsman employs a former JU clinic student who coordinates the referral of matters to the clinics for investigation when there is a question of infringement of human rights, and referral of matters from the clinics when it appears that intervention of that office would be beneficial. The Ombudsman also has funded publication of almost 30 information booklets, written by clinical students, which provide the public information on their legal rights in areas including consumer, labor law, social security, family law, landlord tenant, and human rights. Refugee booklets are published in English and Russian as well as Polish.

In 1999, the clinic founded *Klinika*, the first student edited journal in Poland, focusing on questions of poverty law, clinical education, legal ethics, and legal education. The journal is published in Polish, English, and Russian so it is accessible to other law schools in Central Europe and the former Soviet Union.

The JU clinic has hosted a number of visiting faculty and students from across Central Europe interested in starting and developing clinics as well as participating as trainers in workshops to train new clinical teachers organized by the Soros Foundation, UNHCR, and the Global Alliance for Justice Education. In March 2002, the clinic sponsored a conference on legal protection of the family through clinics, which included the participation of professors and students from legal clinics in Croatia, Ukraine, Slovenia, Slovakia, and Latvia, as well as from six universities in Poland.

The Number of Students and Cases in the Jagiellonian University Legal Clinic
1997-2001

2000-2001	Civil	Labor	Penal	Human Rights	Total
Students	16	9	10	9	44
Cases	224	122	167	193	706

1999-2000	Civil	Labor	Penal	Human Rights	Total
Students	15	10	8	9	42
Cases	211	69	70	135	485

1998-1999	Civil	Labor	Penal	Human Rights	Total
Students	16	10	7	8	41
Cases	218	61	61	81	421

1997-1998	Civil	Penal	Human Rights	Total
Students				26
Cases	164	45	46	255

1997-2001	Total
Students	153
Cases	1867