HEALTH JUSTICE CLINIC
COURSE REQUIREMENTS

A. Class Schedule and Assignments

Class will meet each **Tuesday from 4:00 to 5:50 p.m.** In addition to regularly scheduled classes, you are also required to attend **an intensive training on Friday, September 8, from 9:00 a.m. to 4:30 p.m.** Finally, we will be scheduling sessions to train you on the case management computer program (Clio) that you will be using in the clinic. As payback, we will cancel several classes after Break so you can focus on your case work.

During the class sessions, we will focus on developing, through simulation, lecture and discussion, the substantive law knowledge and the clinical skills necessary to represent our clients. We will often use clinic cases as a basis for the classroom work. Readings will be assigned for class.

B. Client Representation Component

Each student will have an individual case load. Depending on the number of credit hours selected, students will be required to spend the at least following number of hours over the course of the semester on the representation of clients:

- 4 credits = 100 hours
- 5 credits = 125 hours
- 6 credits = 150 hours.

Client representation hours will include six office hours each week, a weekly 30-45 minute meeting with both instructors, and time spent working on assigned cases. This does not include the time you spend in or preparing for class. Please see the attached Statement on Clinical Hours Requirement for more details on the hours requirement.

You have completed the client representation component of the course when:

- You have completed agreed projects on each case, and
- You have completed a minimum of 100, 125 or 150 hours depending on credit sought, and
- Classes have ended.

Except in extenuating circumstances and with permission of clinic faculty, you may not finish your clinic semester early, that is, prior to the end of classes.

You are required to keep track of your time in our case management system, Clio. See the Clinic Office Manual and Clio Manual for detailed instructions.
C. North Carolina Rules Governing Practical Training of Law Students

Students participating in the Health Justice Clinic will be certified as legal interns under the North Carolina student practice rule. This certification permits you to practice before the North Carolina State Courts. To be certified, you must have completed the equivalent of three semesters towards your J.D. (See 27 NCAC 01C.0101 et. seq.) You must fill out the Certification Regarding Reading Canons of Professional Ethics (attached), after reading the Rules Governing Practical Training of Law Students and becoming familiar with the Revised Rules of Professional Conduct of the North Carolina State Bar and the opinions interpreting them.  [https://www.ncbar.gov/media/490541/2017-handbook.pdf](https://www.ncbar.gov/media/490541/2017-handbook.pdf)

The rules provide that a certified student’s name may be typed on court documents with a clear identification that s/he is a student certified under the rules, i.e. “__________, Certified Law Student under the Supervision of [Supervising Lawyer].” A student may not sign his or her name to a court document. Court documents must be signed by a supervising attorney. Students may, however, sign their names to letters so long as there is a clear identification that s/he is certified under these rules, i.e. “________________, Certified Law Student under the supervision of [Supervising Lawyer].”

D. Office Hours

You will be required to commit to a minimum of six hours per week in the clinic office, plus whatever hours are necessary to meet hours requirements. Your formal office hours must be held in 2, 3 or 4 hour blocks, scheduled on at least two different days. You will sign up for regular weekly office hours at the beginning of the semester. On occasion, you may need to reschedule office hours because of other commitments. You don’t need permission to do so; please simply email both Allison and Hannah that you are making the change. During office hours, you will be working on your cases and occasionally handling a new client call, as assigned.

Note that the six scheduled office hours are a minimum. Above all, each week you must put in the time needed to serve your clients and move their cases along. You can expect this to average about 10 to 14 hours per week. The amount of time each week will depend on what is going on in your cases. We pay close attention to your clinic case work load and do our best to keep you busy, but not overloaded.

E. Attendance Policy

Due to the small size of the clinic class and the importance of class participation, students must attend all classes unless specifically excused by a supervising attorney.

F. Weekly meetings with Supervising Attorneys

Students will have a 30-45 minute joint supervision meeting with the supervising attorneys each week. You will sign up for a regular meeting time at the beginning of the semester. Any absences must be cleared with the supervising attorneys before the scheduled meeting. At the meeting, all cases will be discussed. Please see the Supervision Memo for specific requirements related to the weekly supervision meetings.
G. Journal Requirement

As a participant in the Health Justice Clinic, you are required to keep a written journal. The purpose of the journal is to provide you with an opportunity to reflect on your experience as a new lawyer and to express the ideas and feelings that are generated by your participation in the clinic and representation of real clients. It is a good place for you to work through issues that arise in your cases or make some observations about what a particular experience meant in the larger scheme of things. It is also another tool that allows the clinic faculty to stay connected with each one of you and respond as needed to any concerns that you share.

The journals are not graded, and the form and content are very flexible. One student submitted a couple haikus for a journal. Feel free to be as boring or creative as you wish. We mainly want to keep our finger on the pulse of the class.

Journals are due approximately every three weeks throughout the semester, with one final journal due before the end of exams. This comes to a total of 5 journal entries.

Journal due dates are:

9/11, 10/2, 10/30, 11/20, and a Final Journal entry due before semester ends

Each journal entry must be the equivalent of at least one double-spaced, type-written page in length. Please submit your journal entries by e-mailing them to both of the supervising attorneys rice@law.duke.edu, demeritt@law.duke.edu. Please be sure to put your NAME and the DATE on your journal.

See the journal memo for more information about the journal requirement.

H. Communication

Prompt communication with supervisors, clients, and others involved in cases IS OF THE UTMOST IMPORTANCE. We will rely heavily on e-mail. When clients call and you are not in the office, you will be e-mailed. The supervisors will also communicate regularly with you through e-mail. Please check your Duke e-mail several times daily. We expect that you will respond to all emails or texts from us, clients, or others, THE SAME DAY, or in extenuating circumstances within no more than 24 hours. If you receive an email or text but will not be able to respond fully right away, please send a brief response promptly, indicating that you have received the email and will respond soon. For confidentiality reasons, we require that you use your Duke email for case-related emails. We do not permit case-related emails to be forwarded to gmail or other non-Duke accounts.

We will also sometimes communicate with you by text. You may text us as well. Our cell phone numbers are: Allison – 919-819-1601; Hannah 919-699-4747.

I. Grading Criteria

The Clinic is graded on the Duke Law School curve. We are required to curve no higher than 3.5.
Each student will receive one grade for the clinic course. Students will not be given separate grades for each case handled or for the seminar. The grade will reflect a student's performance in direct representation of individual clients and in class.

The classroom performance portion of the grade will be based on class attendance, quizzes, simulations, and participation in classroom discussions and exercises.

The client representation portion of the grade will be based upon several measures: An absolute measure, a relative measure, and an individualized measure. The absolute measure compares your performance to the performance expected of a second or third year law student. The relative measure compares your performance to that of the rest of the students in the clinic this semester. The final measure is an individualized one. Using this measure, we will evaluate your work based on the progress you made during the semester, taking into account the strengths and weaknesses you brought to the clinic. Based on the individualized measure, a student who grows significantly during the course of the clinic may be more highly evaluated than a student who starts out strong and ends strong, but makes little progress in developing skills over the course of the semester.

With each measure, we will assess your performance in the areas relevant to the cases you have handled and the work you have completed on the class project. Note that the skills and activities you perform will depend on the particular cases you are working on. We strive to assign each student a variety of cases, so that students are exposed to different types of clients, areas of law, and legal tasks. Bear in mind that in one semester it is impossible to expose any one student to every type of legal task, and some cases/clients will simply fizzle out.

Because we are required to stick to a curve, we unfortunately cannot determine your grade solely on these measures.

Depending on the tasks assigned, we will evaluate you in the following areas:

a. Client Contact
   i. Responsiveness to client concerns; respect for client
   ii. Interviewing and counseling
   iii. Attention to the clients’ legal matters; attentiveness to client goals
   iv. Professionalism

b. Lawyering
   i. Diagnosis of client’s problem
   ii. Factual investigation
   iii. Factual & Legal analysis (e.g. charting & analysis of medical records)
   iv. Development of case strategy
   v. Negotiation
   vi. Written and Oral Communication (clarity, accuracy, persuasiveness, timeliness)
   vii. Preparing and presenting administrative/trial matters

b. Research and Writing
   i. Legal research and writing skills (thoroughness, independence, documentation & recording of research & analysis)
   ii. Drafting skills (Attention to client’s needs, wishes; attention to detail)
d. Case Management
   i. Management of case load (appropriate follow-up, timeliness, balance of demands)
   ii. Efficiency & productivity in handling cases (hours vs product)
   iii. Communication with supervising attorneys
   iv. Response to supervision
   v. Documentation of work: (case notes detailed, thorough, contemporaneous; timekeeping complete, contemporaneous; intake forms completed, thorough; opening memos completed & detailed)
   vi. Client file-keeping skills (paper file complete, organized; electronic file complete)

We will also evaluate you based on some general characteristics which are important for all lawyers.
   i. Big picture understanding
   ii. Persistence
   iii. Thoroughness
   iv. Attention to Detail
   v. Independence
   vi. Responsiveness to supervision (keeping supervisors informed of case tasks and activities, seeking and following direction).

Professionalism

We will also take into account your overall professionalism, including how you present yourself to clients, supervisors, and those you deal with in connection with your cases. This ranges from matters as simple as wearing appropriate attire to meet with clients and others, to your presentation and demeanor in a hearing, to your sensitivity to and handling of ethical issues, and your timeliness in completing tasks and communicating with clients and others.

Statement on Clinical Hours Requirement

All of Duke Law School’s real client clinics require that enrolled students perform a minimum number of hours of client service in a semester. The minimum number of client service hours varies by clinical course, and course hours, but in all cases the total number of required hours is clearly disclosed to students in advance. Further, the Clinical Faculty makes every effort to make transparent their expectations related to this requirement, including, how this requirement relates to grading. Nonetheless, questions do arise about the clinical hours requirement and its relation to the obligations owed to each client. This statement is intended to address the most common of these questions and to help guide your understanding of this requirement.

Clinical courses are distinguished from other upper-level courses at the Law School in many ways, but the emphasis on providing legal services to real clients is the most significant difference. The clinical hours requirement is intended to give you a clear understanding of the minimum number of hours that must be provided in order to get credit for the course, but remember it is just that—a minimum threshold. Thus, while we recognize that you will need to keep track of your hours to minimize the risk that you won’t receive course credit, it is important to keep this requirement in perspective.
Simply satisfying the clinical hours requirement is not the primary objective of your clinical experience. The goal is to meet the needs of your clients in order to fulfill your professional obligations to those clients. In many cases, fulfilling these obligations means that you will exceed the minimum hours requirement. Consequently, it may help to think of this requirement as similar to a minimum billable hours target in a law firm context—meeting the minimum is necessary, but not always sufficient, to be successful.

At the same time, the Clinical Faculty recognizes that your clinical experience is not the same as working in a law firm. Among other things, we know that you have other academic obligations. We also know that you need to have time for your personal life. Learning how to efficiently use time and how to balance professional obligations with other priorities is an important aspect of clinical education.

As a result, we will assign you an appropriate workload. In general, this means that you will get a mix of cases that we know will be challenging, but that we are confident you can handle. Because these are real cases, however, we can’t predict how they will evolve over the course of your representation. Some may be concluded more quickly than expected, while others may turn out to be far more complex and time consuming than predicted. Thus, it will be critical for you to actively manage your caseload to ensure that you can successfully meet your obligations to your clients, while still having time for your other priorities.

Please use the opportunities provided during supervision meetings and through journals to address this issue. If you have any concerns about your workload or your ability to balance competing priorities, please do not hesitate to talk with your Supervising Attorney or any of the other Clinical Faculty about your concerns. Balancing the priorities of professional obligations with other obligations and interests is a key to professional success. We aspire to help you improve your ability to achieve that balance.