



Pro Bono Scholars Program

Syllabus – Spring 2015
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Director for Pro Bono and Public Service
Touro College Jacob D Fuchsberg Law Center



Course Objectives & Format



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- The subject matter of the course is the crisis and delivery of public interest legal services and the various ways that society is responding to meet the need. This will be explored by guest speakers who are experts in the field of legal services delivery and through a discussion of experiences, the externs have at their various placements.



Objectives & Format

- Students will take the New York Bar Examination on February 24-25.



Objectives & Format

- Students will begin a full-time 12 week externship from March 2 -May 22 by providing legal services to indigent clients, at an approved placement that comply with the PBSB program as described in the [PBSB Program Guide](#). Students will be engaged in law-related activities under the substantive supervision of a placement attorney supervisor/mentor.



Objectives & Format

- Students are required to work full time in and approved program and complete the academic requirements for a total of 45 hours per week. For a complete listing of requirements for law students, students should read the [Pro Bono Scholars Program Placement Guide](#).



Objectives & Format

- In addition to the externship placement, students are required to attend regular class sessions on Monday evenings beginning March 9, 2015 – May 17, 2015, from 6:30 p.m. – 9:10 p.m. (**See below for detailed class schedule**).



Objectives & Format

- Students will receive 12 credits for the course which includes the field placement and the classroom component of the course as described above.



Objectives & Format

- This course meets Touro Law Center's skills requirement and the New York Court of Appeal's 50 hour pro bono requirement. It also meets the American Bar Association's ethics requirement; however the course **does not** meet the New York Court of Appeal's two credit hour ethics requirement.



Office Hours

- Please email me at Thomasm@tourolaw.edu for an appointment. My office is located in the PAC Center on the second floor of the law school. You can also contact my Administrative Assistant, Cathy Cembrale at 761-7057.



Attendance

- ABA rules require regular and punctual class attendance. Under the ABA standards, the law school requires that each student attend class regularly, which is defined as 85% of scheduled class hours. Allowable absences are calculated at 15% of the number of class hours per course per semester. Because class meets for 10 meetings or 25 hours, **students can only miss 1 class** without negatively impacting his/her grade. If you have to miss a class, please email me and Charlotte Taylor, ctaylor@tourolaw.edu as soon as possible. A student, upon my recommendation, may be precluded by the Dean from completing the course and receiving a grade because of excessive absences.



Grading

- **Grading:** This is a pass/fail course; however students will be required to submit all writings as outlined below, attend regular class meetings as described in the course outline, work the required 12 week full time externship, and complete all other assignments. Failure to pass the course or complete the PBSP program as outlined in the [PBSP Handbook](#), will result in no credit being awarded, and you will not be eligible for graduation in May 2015. In addition, failure to successfully complete the PBSP may result in invalidation of the student's bar exam results. (See [Pro Bono Program Placement Guide](#), "Law Student Requirements", number 9).



TWEN

- A TWEN page has been created for this course. Students should add Pro Bono Scholars Program to their list of courses. All notifications of class changes or cancellations will be posted on TWEN and emailed to the students. Please check the TWEN site often as I intend to put documents, announcements, assignments and other important information on the site for class.



Required Writings

- Work product as assigned by placement supervisor
- A draft and final Learning Agenda
- Weekly journal entries sent by email to thomasm@tourolaw.edu.
- Participation each week in classroom discussions.
- Description of Placement form for evaluating the placement and the experience
- Affidavit of Compliance with the Pro Bono Scholars Program



Miscellaneous

- All written submissions must be typed and double-spaced with **one-inch** margins on all sides. All assignments must conform to the specified page limitations. Use a size 12 font, number pages, and staple the pages in the top left corner.
- YOU ARE PERMITTED TO USE LAPTOPS IN CLASS FOR CLASS PURPOSES ONLY. NO OTHER ELECTRONIC DEVICES ARE PERMITTED.



Class Meetings



Date	Class #	Topics, Readings, Some Assignments, Due Dates
3/9	1	Guest Speaker – Jonathan Lippman, Chief Judge State of New York & Chief Judge of the Court of Appeals Topic: Access to Justice Assignment: Read: The Task Force to Expand Access to Civil Legal Services in New York .
3/16	2	Guest Speaker – Jeff Siegle, Esq. Assignment: Read, Nassau/Suffolk Law Services Committee, Inc., Annual Report, available on TWEN.



Date	Class #	Topics, Readings, Some Assignments, Due Dates
3/23	3	Guest Speaker: John Pollock, Coordinator, National Coalition for a Civil Right to Counsel Topic: Civil Gideon Assignment: Browse the Interactive Map on NCCRC website. Read the following: Laura K. Abel, Keeping Families Together, Saving Money, and Other Motivations Behind New Civil Right to Counsel Laws , 42 Loy. L.A. L. Rev. 1087 (2009). Russell Engler, Connecting Self-Representation to Civil Gideon: What Existing Data Reveal About When Counsel Is Most Needed , 37 Fordham Urb. L.J. 37 (2010), Debra Gardner and John Pollock, Civil Right to Counsel's Relationship to Antipoverty Advocacy: Further Reflections , 45 Clearinghouse Rev. J. of Poverty L. and Pol'y 50 (July-Aug. 2011) (in response to Gary Smith, Poverty Warriors: A Historical Perspective , 5 Clearinghouse Rev. J. of Poverty L. and Pol'y 34 (May-June 2011)). John Pollock, The Case Against Case-By-Case: Courts Identifying Categorical Rights to Counsel in Basic Human Needs Civil Cases , 61 Drake L.J. 763 (Spring 2013). Laura Abel and Susan Vignola, Economic and Other Benefits Associated with the Provision of Civil Legal Aid , 9 Seattle J. for Soc. Just. 139 (Fall/Winter 2010)



Date	Class #	Topics, Readings, Some Assignments, Due Dates
3/30	4	Guest Speaker: Steve Scudder, Committee Counsel, Standing Committee on Pro Bono and Public Service Topic: Pro Bono & Public Service Assignment: "Pro Bono: Looking Back at 2014 and Forward to What's Coming in 2015," Dialogue, Fall 2014/Winter2015
4/13	5	Guest Speaker: Rodger Maldonado, Chair of the Non-Lawyers Access to Justice Committee Topic: Non-Lawyers and the Justice Gap Assignment: Read: Washington State moves around UPL, using legal technicians to help close the justice gap," ABA Journal, January 2015, pp. 72-79. Read "Steps Forward in Nonlawyer innovations in New York CJ's Speech", Richard Zorza's Access to Justice Blog, Posted February 20, 2015.



Date	Class #	Topics, Readings, Some Assignments, Due Dates
4/20	6	Guest Speaker: Fred Rooney Topic: Incubators Assignment: Read Incubator Guide, A publication of the California Commission on Access to Justice.
4/27	7	Guest Speaker: Ben Rajotte, Assistant Professor of Law and Director of the Disaster Relief Clinic, Touro Law Center Topic: Disaster Relief Assignment: Read "Trial by Water: Superstorm Sandy and the Public Interest" written by Thomas Maligno and Benjamin Rajotte, publication pending. Article is posted on TWEN.



Date	Class #	Topics, Readings, Some Assignments, Due Dates
5/4	8	Guest Speaker: Richard Klein Topic: Criminal Gideon Assignment: To be announced
5/11	9	Guest Speaker: Kim Diana Connolly; NY OCA Webinar Topic: Professionalism, Confidentiality, Interviewing Assignment: Read 22 NYCRR 1.6 Confidentiality of Information and 22 NYCRR 1.14 Client with Diminished Capacity
5/17	10	Final Class - Wrap Up

Additional Assignments will be announced in class or posted on TWEN.