

Public Interest Practicum Fall 2010

Fridays, 12 noon to 1:50 p.m., Law 240A

Adjunct Professor Caroline Palmer

caroline@mncasa.org

Work: 651-209-9993 x214

Cell: 612-978-1936

Office Hours: By appointment

SYLLABUS

Course Description: Public interest law is a broad area of legal practice that encompasses (but is not limited to) careers in legal aid, nonprofit organizations, government agencies, legislative advocacy, philanthropy, and much more. The goal of the classroom portion of the Public Interest Practicum is to introduce students to different issues and areas in public interest law that will supplement the fieldwork component of the course. This goal will be accomplished through class discussion and readings. Some of the class meetings, except for the orientation on September 3 and the final class on November 19, will include a guest speaker on the assigned topic. There are seven (7) class sessions scheduled intermittently throughout the semester. Please be sure to mark your schedules accordingly.

The practicum includes the classroom component as one of the three credit hours, in addition to a minimum of 114 hours of unpaid fieldwork with an attorney mentor as well as papers and journals due to the practicum program administration. For further information please review the practicum program procedures. Past placements for students in the Public Interest Law Practicum have included the Minnesota Civil Liberties Union, Southern Minnesota Legal Services, the Minneapolis Civil Rights Department, Hennepin County Child Protection Services, the Immigrant Law Center and the Minnesota AIDS Project.

Grading: The Practicum grade is pass/no pass and based overall on the student's completion of the fieldwork and required assignments, as well as required attendance in the class sessions.

Text: Martha R. Mahoney, John Calmore, and Stephanie M. Wildman, Social Justice: Professionals, Communities and Law (2003), ISBN No. 9780314257130. Pages listed below refer to this text, unless otherwise noted. Other required readings are also outlined below.

Instructor: Caroline Palmer is a staff attorney at the Minnesota Coalition Against Sexual Assault (MNCASA) where she works to develop the organization's policy agenda, provide technical assistance to its member programs, organize trainings and develop educational resources. Prior to joining MNCASA she worked as the Pro Bono Development Director at the Minnesota State Bar Association and as a staff attorney at the Minnesota AIDS Project (MAP). She is a graduate of Barnard College and Hamline University School of Law, and she recently completed the Policy Fellows Program at the Hubert H. Humphrey Institute of Public Affairs at the University of Minnesota. She currently serves as vice-chair of the MAP board of directors and she is also a freelance arts journalist.

September 3 Orientation to Course: What is Public Interest Law?

Introductions, discussions of goals, field placements and course review. What is public interest law? How is it the same or different from social justice law? Why did you choose law school? How does a legal education impact on personal and professional ideals? Can you change the world and still pay your student loans?

Reading: Pages 1-59

September 10 Has the Time Come for Civil Gideon?

Should clients in certain civil cases (involving shelter, basic security and family rights) have an attorney appointed if they cannot otherwise afford one? What are some of the historical, financial and policy bases for a right to counsel in the criminal context, and should the right extend to the civil context? We will listen to a recording of oral arguments from *In the Matter of the Marriage of King v. King*, a Civil Gideon appellate case from Washington state, and discuss your impressions.

Reading: Mary Deutsch Schneider, *Trumpeting Civil Gideon: An Idea Whose Time Has Come?*, Bench & Bar of Minnesota
<http://www2.mnbar.org/benchandbar/2006/apr06/gideon.htm> and
Report from the Minnesota State Bar Association Task Force on Civil Gideon (if available by class time)
and
King v. King, 174 P.3d 659, 162 Wn.2d 378 (Wash. 2007)

September 17 No Class

September 24 The Legal Profession, Legal Services, Pro Bono and Access to Justice

How do you develop your personal vision of public interest law? Discussion includes an overview of the history of legal services in the United States and Minnesota. What do the Minnesota legal services and pro bono communities look like today?

Reading: Pages 61-115
and
Judge Jay Quam, *Judging Without Lawyers: Not Knowing Makes for Nightmares*, Bench & Bar of Minnesota, May/June 2009
<http://www2.mnbar.org/benchandbar/2009/mj09/judging.html>

Guest Speaker: Steve Hirsh, Access to Justice Director, Minnesota State Bar Association

October 1 No Class

October 8 The Role of the Public Interest Lawyer in Legislative Change

Examine and discuss the role of the public interest lawyer in legislative advocacy by discussing examples of issues raised during recent sessions of the Minnesota state legislature. How does a bill become law in Minnesota? As an example, we'll follow the path of a bill designed to update and enhance the state's human trafficking law.

Reading: Minn. Stat. §609.322

and

Read at least executive summaries and review as much as possible:

The Advocates for Human Rights, *Sex Trafficking Needs Assessment for the State of Minnesota* (2008) (find at www.mnadvocates.org)

Office of Justice Programs, *Human Trafficking in Minnesota: A Report to the Minnesota Legislature* (2008 or 2010 if available by this date) (find at www.dps.state.mn.us)

and

view www.polarisproject.org

Guest Speaker: Mary C. Ellison, Director of Policy, Polaris Project

October 15 No Class

October 22 No Class - Midterm Holiday

October 29 Client Centered or Holistic Lawyering and the Role of Ethics

What does it mean to be a client-centered lawyer? What does it mean to operate a holistic practice? Where are the ethical limits? How do your own values as a public interest lawyer and a public citizen come into play? We will explore these questions through class discussion including review and interpretation of case scenarios from a variety of public interest venues. Come prepared with examples, challenges or quandaries from your own fieldwork experiences.

Reading: Pages 207-248 and 271-354

November 5 Understanding Nonprofit Law and Fundraising for Public Interest Lawyers

Many public interest lawyers need to have at least a working knowledge of nonprofit law including lobbying rules, working with boards of directors, and much more. You might also need to become quite familiar with grant writing as a means of sustaining your position or funding specific projects, even if you are working in a government position. Whether you're running a nonprofit organization, serving on the board, acting as a consultant or working on staff, there are many issues you will need to know about organizational and financial management. We'll spend this class period going over the basics.

Reading: Go to http://www.mncn.org/info/principles_and_practices.pdf and review “Principles and Practices for Nonprofit Excellence: A Guide for Nonprofit Board Members, Managers and Staff,” published by the Minnesota Council of Nonprofits.

November 12 No Class

November 19 Last Class: Reflections on Semester and Field Placement

Discussion and wrap-up of field placements. Each student should be prepared to give a 10-minute presentation summarizing his or her work over the semester. The summary should include reflections from your experience such as examples of effective advocacy, strong leadership, a unique challenge, and something you thought you could have handled better. Has your vision of yourself as a public interest lawyer changed? What have you learned about your community during your placement? What surprised you about the experience? Which class speaker made the most memorable impression on you, and why? How will you stay true to your ideals as a person and as a lawyer? Please be sure to reference some of the observations raised in the reading assignments as well.

Technology Policy

Laptop computers and other electronic devices are permitted so long as their use is related to the class activity such as taking notes, accessing course related materials or to aid in classroom activities. Laptop, PDAs and cell phones should not be used for text messaging or e-mail during the class period. This is disrespectful to the instructor, guest speakers and fellow students. The instructor reserves the right to bar use of laptops and other electronic devices if their use is abused.

Class Attendance Policy

Since the classroom portion of the Practicum is limited to only seven (7) meetings, students may have only one absence from the class during the semester, however please make every effort to avoid any absences. Please contact the instructor with any questions about this policy. The law school’s academic rules require that students attend class regularly, punctually and in a prepared manner. Participation is expected throughout the class and during each meeting students will be asked to provide a short update about his or her field placements. See Academic Rule 108 for further details.