

OFFICE OF CLINICAL LEGAL EDUCATION
IN-HOUSE CLINICS
APPLICATION POLICIES AND PROCEDURES
SPRING 2010

Important Note:

This document is a summary of the important application information for the In-House Clinics available in the spring 2010 semester: Criminal Defense Clinic (CDC), Elder Law Clinic (ELC), Low Income Taxpayer Clinic (LITC) and Securities Arbitration and Consumer Law Clinic (SACC.) For more information and application materials, see http://www.law.syr.edu/academics/clinicaleducation/inhouse_clinics.aspx.

Office of Clinical Legal Education Responsibilities:

The six credit clinics (CDC, ELC and SACC) require a 20-25 hour time commitment per week. The three credit clinic, Low Income Taxpayer Clinic (LITC), requires a 10-12 hour time commitment per week. Because you represent real clients, your responsibilities to these clients must take precedence over all other obligations. Sometimes the clinics may take more time depending on the needs of your clients. For this reason, we strongly recommend that you take into consideration all time-intensive activities such as trial and Moot Court competitions, journals, and outside employment when arranging your schedule.

Class meeting times will be posted as soon as they are finalized.

Eligibility Requirements:

- Attendance at the mandatory meeting which is on Monday, October 26, 2009 in Room 200 at 11:45 AM.
- Be in good academic standing at the time of application, enrollment, and when the semester begins.
- Have no conflicts of interest due to past or current employment, externship placements, organizational affiliations, or employment applications that would disqualify you from enrolling.
- Meet all necessary pre- and co-requisites for specific clinics. (See attached sheet.)
- Submit your application by 4:00 PM on Thursday, October 29, 2009.

Application Process:

The following documents must be submitted to the Office of Clinical Legal Education by no later than 4:00 PM on Thursday, October 29, 2009.

- Signed Application Form
- Conflict of Interest Form –Include outside employment, pending job applications, and community work. Having this information will enable us to determine **IF** you have a conflict of interest that would disqualify you from participation in all clinics. (Not all potential conflicts disqualify you.)
- Resume – Please attach a copy of your current resume. This will help us to determine any potential conflicts that you may not recognize.

Selection Process:

Priority in the selection process is given to students as listed below.

(Note: If there are more applicants than open positions within any of these categories, all applicants within that category will be placed in a lottery for selection.)

1. 3Ls who have applied before for an in-house academic year or semester clinic but were not selected.
2. 3Ls who have not taken an in-house academic year or semester clinic.
3. 2Ls who have applied before for an in-house clinic, but were not selected.
4. All remaining 2Ls who have not taken an in-house clinic.
5. 3Ls who have previously taken an in-house clinic.
6. 2Ls who have previously taken an in-house clinic.

Clinic preference:

Students who select a clinic as their first choice will be given preference over students who select that clinic as their second or lower choice. (For example, if two students have not enrolled before and are both graduating in Spring 2010, the student who selects the Criminal Defense Clinic as her first choice will get that clinic before a student who selects the Criminal Defense Clinic as his second choice, even if the later person did not get accepted into his first choice).

Deadlines:

Applications must be submitted to the Office of Clinical Legal Education on Thursday, October 29, 2009 by no later than 4:00 PM. Late applications will not be given consideration.

The names of the students selected by the lottery will be posted on Wednesday, November 4, 2009, by 4:00 PM, in the Office of Clinical Legal Education, 306 MacNaughton Hall. Accepted students also will receive email notification.

If you are selected to enroll in a clinic, you must come into the Office of Clinical Legal Education and sign a letter of agreement indicating acceptance of the clinic slot by no later than noon on Friday, November 6, 2009.

IF YOU DO NOT SIGN THE ACCEPTANCE STATEMENT, YOU WILL LOSE YOUR SLOT TO SOMEONE ON THE WAITING LIST.

All forms are available at http://www.law.syr.edu/academics/clinicaleducation/inhouse_clinics.aspx
If you have any questions, please contact Sue Davie, at 443-9545.

OFFICE OF **CLINICAL LEGAL EDUCATION**

IN-HOUSE CLINICS

PRE AND CO REQUISITES

- **Children’s Rights and Family Law Clinic**
 - Professional Responsibility (Pre/Co Requisite)

- **Community Development Law Clinic**
 - Professional Responsibility (Pre/Co Requisite)
 - Real Estate Transaction I (Suggested Pre/Co Requisite)

- **Criminal Defense Clinic**
 - Professional Responsibility (Pre/Co Requisite)
 - Constitutional Criminal Procedure –Adjudicative or Investigative (Pre/Co Requisite)
 - Evidence (Pre/Co Requisite)
 - Trial Practice (Suggested Pre/Co Requisite)

- **Disability Rights Advocacy Law Clinic**
 - Professional Responsibility (Pre/Co Requisite)
 - Disability Law (Pre/Co Requisite)

- **Elder Law Clinic**
 - Professional Responsibility (Pre/Co Requisite)
 - Elder Law(Pre/Co Requisite)
 - Administrative Law (Suggested Pre/Co Requisite)

- **Low Income Taxpayer Clinic**
 - Professional Responsibility (Pre/Co Requisite)
 - Federal Tax I (Pre/Co Requisite)

- **Securities Arbitration/Consumer Clinic**
 - Professional Responsibility (Pre/Co Requisite)
 - Commercial Transactions (Suggested Pre/Co Requisite)
 - Securities Regulations and/or Corporations (Suggested Pre/Co Requisite)

OFFICE OF CLINICAL LEGAL EDUCATION
IN-HOUSE CLINICS
APPLICATION FORM SPRING 2010

**THIS APPLICATION MUST BE SUBMITTED NO LATER THAN:
4:00 PM ON THURSDAY, OCTOBER 29, 2009.**

**A CURRENT RESUME AND CONFLICT OF INTEREST FORM MUST BE ATTACHED.
STUDENTS MUST BE IN GOOD ACADEMIC STANDING (2.2 GPA).**

NAME: _____

MONTH AND YEAR OF GRADUATION: _____

LOCAL ADDRESS: _____

LOCAL PHONE: _____

E-MAIL ADDRESS: _____

CLINIC PREFERENCE:

For each clinic in which you are interested in enrolling, please rank the clinic(s) in order of your preference (i.e., by placing a "1" on the line of the clinic of your first choice, a "2" on the line of your second choice, etc.). DO NOT put a number next to a clinic if you are definitely not interested in enrolling in that clinic. The number in parenthesis indicates the number of credits you will receive for the semester.

SPRING 2010 CLINICS:

CRIMINAL DEFENSE CLINIC (6) Spring 2010 _____

ELDER LAW CLINIC (6) Spring 2010 _____

LOW INCOME TAXPAYER CLINIC (3) Spring 2010 _____

SECURITIES ARBITRATION AND
CONSUMER LAW CLINIC (6) Spring 2010 _____

Have you taken a clinic in the past? Yes _____ No _____

If so, which one and when? _____

Did you apply to a clinic before? Yes _____ No _____

If so, which one and when? _____

Have you taken an externship in the past (including summer)? Yes _____ No _____

If so, which one and when? _____

OFFICE OF CLINICAL LEGAL EDUCATION

IN-HOUSE CLINICS

APPLICATION FORM SPRING 2010

DECLARATION PAGE:

DECLARATION:

I have read the description of the Office of Clinical Legal Education responsibilities and I understand the time commitment that will be required of me. I am able and willing to commit to spend the required 20-25 hours per week in a six credit clinic (CDC, ELC and SACC), and the required 10-12 hour hours per week in a three credit clinic (LITC.) This time will be spent during regular business hours. I also understand that I may need to spend additional time if and when my cases require it.

I understand that **clinic is a no-drop course**. I understand once I have accepted my clinic, I am not permitted to drop the course absent exigent circumstances. I am aware that if I feel compelled to drop clinic without permission of the appropriate clinical faculty person, this decision may be reflected on my transcript as “withdrawn.”

I have read the “Application Policies and Procedures” for applying to clinic and the “Conflict of Interest” policy for pre-registering clinic students. I understand the “Conflicts of Interest” Policy and agree to comply with it, and understand the selection process and deadlines.

I agree to complete necessary co-requisites during the spring 2010 semester at the latest.

Dated: _____

(Signature of Applicant)

OFFICE OF **CLINICAL LEGAL EDUCATION**

CONFLICTS OF INTEREST

POLICY FOR PRE-REGISTRATION CLINIC STUDENTS EFFECTIVE FEBRUARY 18, 2009

A conflict of interest check must be performed on all new cases. Clinic records are examined to determine whether there are any conflicts of interest between a prospective client's case and other cases handled by the Clinic or a prospective client's case and the activities of students and faculty members in the Clinic. The discovery of a conflict does not necessarily require the rejection of a case, but could trigger the disclosure requirements set forth in the New York Rules of Professional Conduct, Rules 1.7, 1.8, 1.9, 1.10 and 1.11.

The Clinic takes conflicts of interest very seriously. In a clinical setting, where ethics and professional responsibility are taught and valued, any and all conflicts and potential conflicts will be handled in a manner that complies strictly with New York law and the New York Rules of Professional Conduct.

In order to analyze a potential conflict of interest, all clinics (CRC, CDC, CDLC, DRC, Elder, LITC, and SACC) are considered as one law firm. Past, present or future employment, volunteer work, and pending job applications of a student enrolled in a clinic could create a potential conflict of interest. To eliminate such existing conflicts or risks of conflicts, you are required to complete and return a Conflict of Interest form with your application materials.

You should not start employment at a law office or in a court once the semester begins without discussing with your Clinic professor the risk of a conflict of interest posed by that position. Due to the nature of the operation of the Clinic, it is not possible to "wall off" a particular case or student that poses a conflict of interest, as may be the practice at other law firms. All Clinic students talk among themselves about Clinic cases and clients. To require a particular case to be banned from such discussions due to a conflict of interest would interfere with the Clinic's educational process, and is logistically and administratively impossible to accomplish.

The Clinic attempts to inform students as early as possible of the potential conflicts that will be or may be created if they work in certain offices within Syracuse. For example, offices that present a likelihood of conflict include, but are not limited to: Vera House, Hiscock Legal Aid, the Onondaga County DA's office, the New York Attorney General's Office, the US Attorney's Office for the Northern District of New York, Syracuse Corporation Counsel, Legal Services of Central NY and Legal Aid of Mid-NY, Bond, Schoeneck and King, the Onondaga County attorney, and any local City, Family, County, Supreme or federal Court judges.

Merely working at these offices will not automatically create a conflict of interest. Working at such offices during the pendency of cases that involve one of the clinics

may create a conflict in violation of the New York Rules of Professional Conduct, Rules 1.7, 1.8, 1.9, 1.10 and 1.11.

Therefore, we ask that you take the following steps in each situation described below:

1. Complete the Conflict of Interest Form entitled "Initial Form." Students accepted into clinic will be asked to complete an "Updated Conflict of Interest Form" just before the start of Clinic. We will then enter those employers into our database, so we are aware of potential conflicts with these employers as we consider new cases in the Clinic.
2. All clinic students must review a list of all open Clinic cases that will be available during your computer training with Clinic Administrator Sue Davie. You must alert Sue and your Clinic Director immediately if there is any case that is or appears familiar to you. These case lists will be sent to you monthly to review for any new potential conflicts.
3. If you are considering applying for legal employment while enrolled in the clinic, you must notify your Clinic Director. The clinic will be compiling and distributing a list of current opposing counsel, so you can know the employers with whom a potential conflict may arise. Together, you and your Clinic Director can discuss potential conflicts.
4. If you formally apply for employment while enrolled in the Clinic, please alert your Clinic Director as to all employers from whom you receive an offer to interview, an interview itself, or an offer. (You do not need to apprise clinic faculty of general letters of inquiry regarding employment.)

Your cooperation on these issues will assure that you and the Clinic are acting in compliance with the New York Rules of Professional Conduct.

OFFICE OF CLINICAL LEGAL EDUCATION
IN-HOUSE CLINICS
CONFLICT OF INTEREST INITIAL FORM

NAME: _____ DATE: _____

The purpose of this form is to determine if there are any real or potential conflicts of interest which would jeopardize the confidentiality and loyalty required of you in the clinic. Therefore, please take your time to answer these questions thoughtfully and completely. (Attach additional sheets if necessary.) You are obligated to submit any updates or changes to this form while enrolled in the Clinical Program.

1. Have you worked or volunteered for a law firm, legal services office, corporate legal department, governmental agency, judge, hearing examiner, or in the securities industry legal or non-legal entity prior to applying for the clinic?

[Yes]

[No]

2. If yes, where have you worked? [List all, starting with most recent. Give dates and locations.] For each position, indicate whether or not it is in the Third¹ or Fourth² Judicial Department.

3rd Dept. 4th Dept.

¹ Third Judicial Department includes the following counties: Albany, Broome, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Madison, Montgomery, Otsego, Rensselaer, St. Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Sullivan, Tioga, Tompkins, Ulster, Warren, and Washington.

² Fourth Judicial Department includes the following counties: Allegany, Cattaraugus, Cayuga, Chautauqua, Erie, Genesee, Herkimer, Jefferson, Lewis, Livingston, Monroe, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Seneca, Steuben, Wayne, Wyoming, and Yates.

OFFICE OF **CLINICAL LEGAL EDUCATION**

3. On what type of cases did you work at each location?

4. Are you **presently** employed or volunteering at any of the offices listed in question #1 or are you planning on being employed or volunteering at **any** office during the semester(s) you hope to enroll in clinic?

[Yes]

[No]

5. If yes, where are you (or will you be) employed or volunteering? Indicate if this is in the 3rd or 4th judicial department.

3rd Dept.

4th Dept.

6. On what type of cases are you (will you be) working?

7. Please state any entities to which you have applied for future employment, including law firms, legal services offices, corporate legal departments, governmental agencies, judges, or hearing examiners, and legal or non-legal entities in the securities industry. If you have had any communication beyond sending your resume, please list them. (You do **not** need to include potential employers to whom you have sent a resume but heard nothing further. If you hear from them subsequently, you are required to update this form.)

OFFICE OF **CLINICAL LEGAL EDUCATION**

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8. Are there any other personal, financial, or family interests that could present conflicts of interest for you in the clinic? If so, please identify them here.

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9. Have you been enrolled in the Syracuse University College of Law Externship Program or the Clinical Program before?

[Yes]

[No]

10. If yes, please indicate the semester(s) in which you were enrolled (including summer sessions) and the clinic or the location of your placement below.

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11. Please state any other non-legal job, volunteer position or Board affiliation you will hold during the upcoming spring semester while enrolled in the Clinical Program.
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Please Note: You have an obligation to submit any updates or changes to this Conflict of Interest Form anytime during which you are enrolled in the Clinical Program. Contact Sue Davie at sedavie@law.syr.edu with any questions or updates.