

# Clinical Legal Education – Legal Clinic at the Faculty of Law, University of Bialystok

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# What is CLE all about

## Clinical Legal Education (CLE)

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“an interactive method of teaching law students the legal skills they will need in order to become competent, conscientious and ethical lawyers”

(E. Rekosh)

- **Two main goals:** education and social mission
- **Historical facts:**
  - the idea appeared at the very beginning of the 20th century
  - it became well developed in US in the 1960s
  - it became popular in Europe in the 1990s
  - Poland – first Legal Clinic was established in 1997

# Legal clinics in Poland



**Białystok** – University of Białystok

**Białystok** – Białystok School of Public Administration

**Gdańsk** – Gdańsk University

**Katowice** – Silesian University

**Kraków** – Jagiellonian University

**Kraków** - Collegium Medicum Jagiellonian University

**Lublin** – Catholic University of Lublin

**Lublin** – Maria Curie-Skłodowska University

**Łódź** – University of Łódź

**Olsztyn** – Academic Association of the Law and European Education Propagators „Wspólna Europa”

**Olsztyn** - The University of Warmia and Mazury

**Opole** – Opole University

**Poznań** - Adam Mickiewicz University

**Rzeszów** – Rzeszów University

**Słubice** - Collegium Polonicum

**Szczecin** – University of Szczecin

**Toruń** – Nicolaus Copernicus University

**Warszawa** - Academia Iuris Foundation

**Warszawa** - Warsaw University

**Warszawa** - Lazarski School of Commerce and Law

**Warszawa** - Leon Koźmiński Academy of Entrepreneurship and Management

**Warszawa** - Management and Law Academy (WSZiP)

**Warszawa** - Stefan Kardinal Wyszyński in Warsaw \*

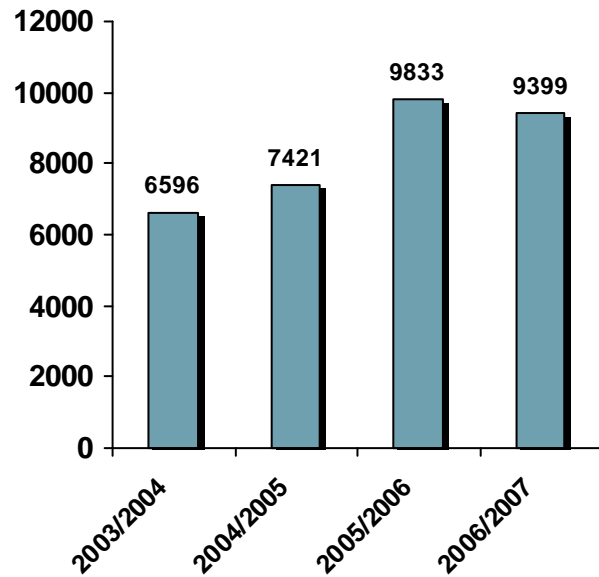
**Wrocław** - Wrocław University

\* Legal clinic opened in 2006

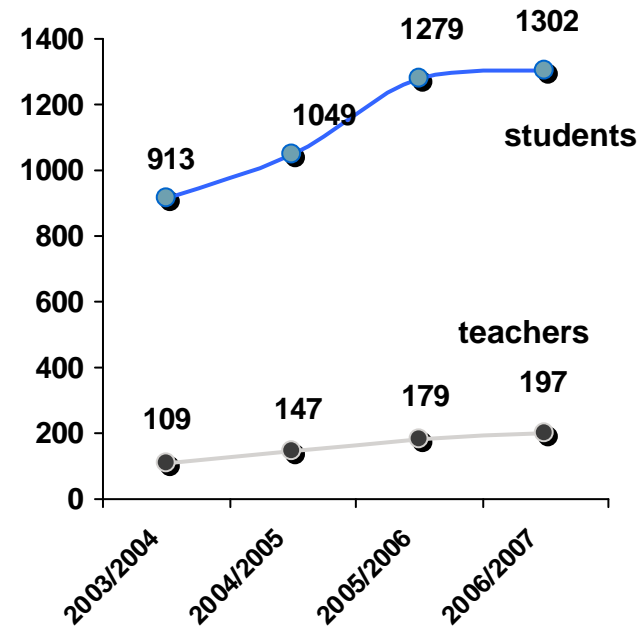
## Academic year 2006/2007 in numbers

- **9399** cases were submitted to legal clinics between October 2006 and June 2007;
- **2327 (25%)** were civil law cases;
- **1302** students and **197** teachers worked in the clinics;
- **1** teacher supervised the work of **6** students;
- **7** cases were solved by one student.

# Comparing to the previous years ...

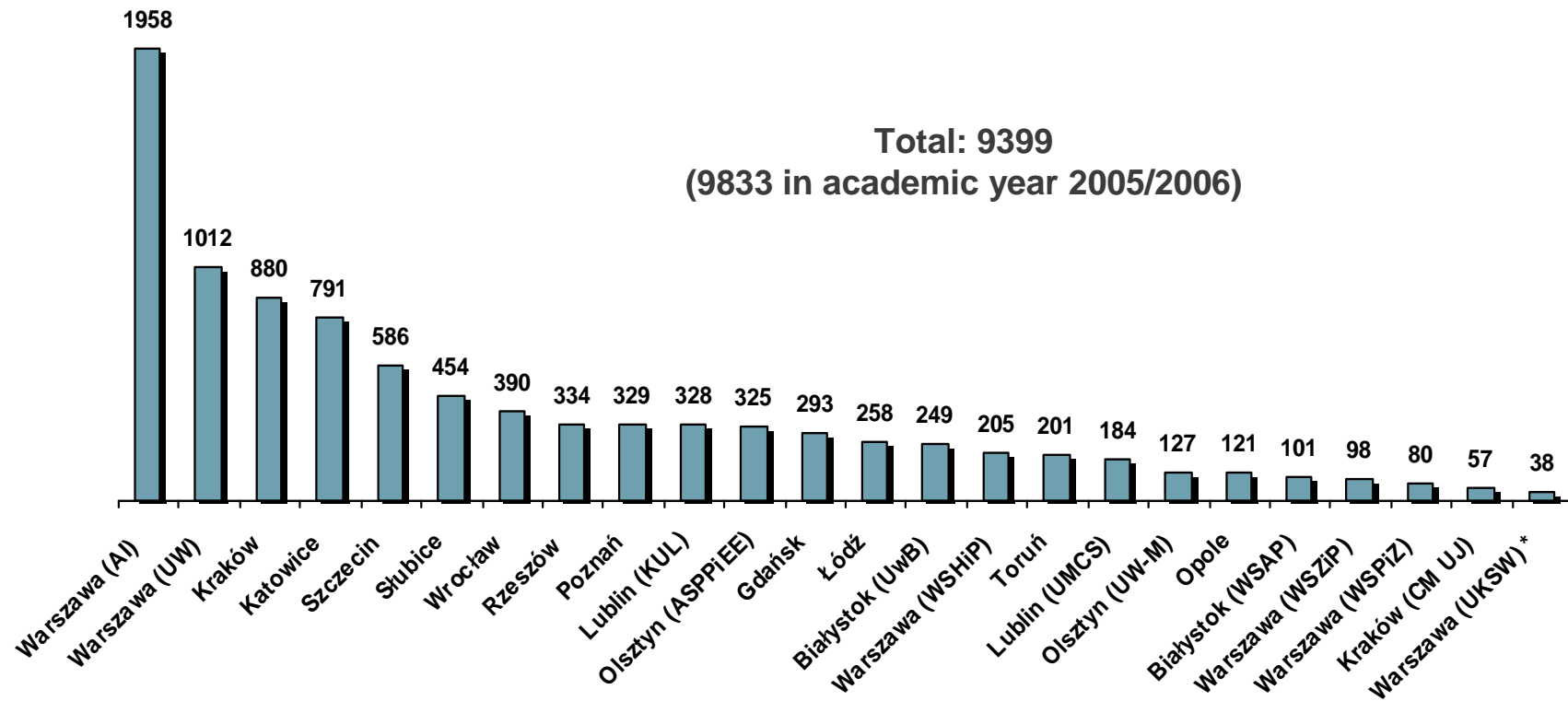


Number of cases in years 2003-2007

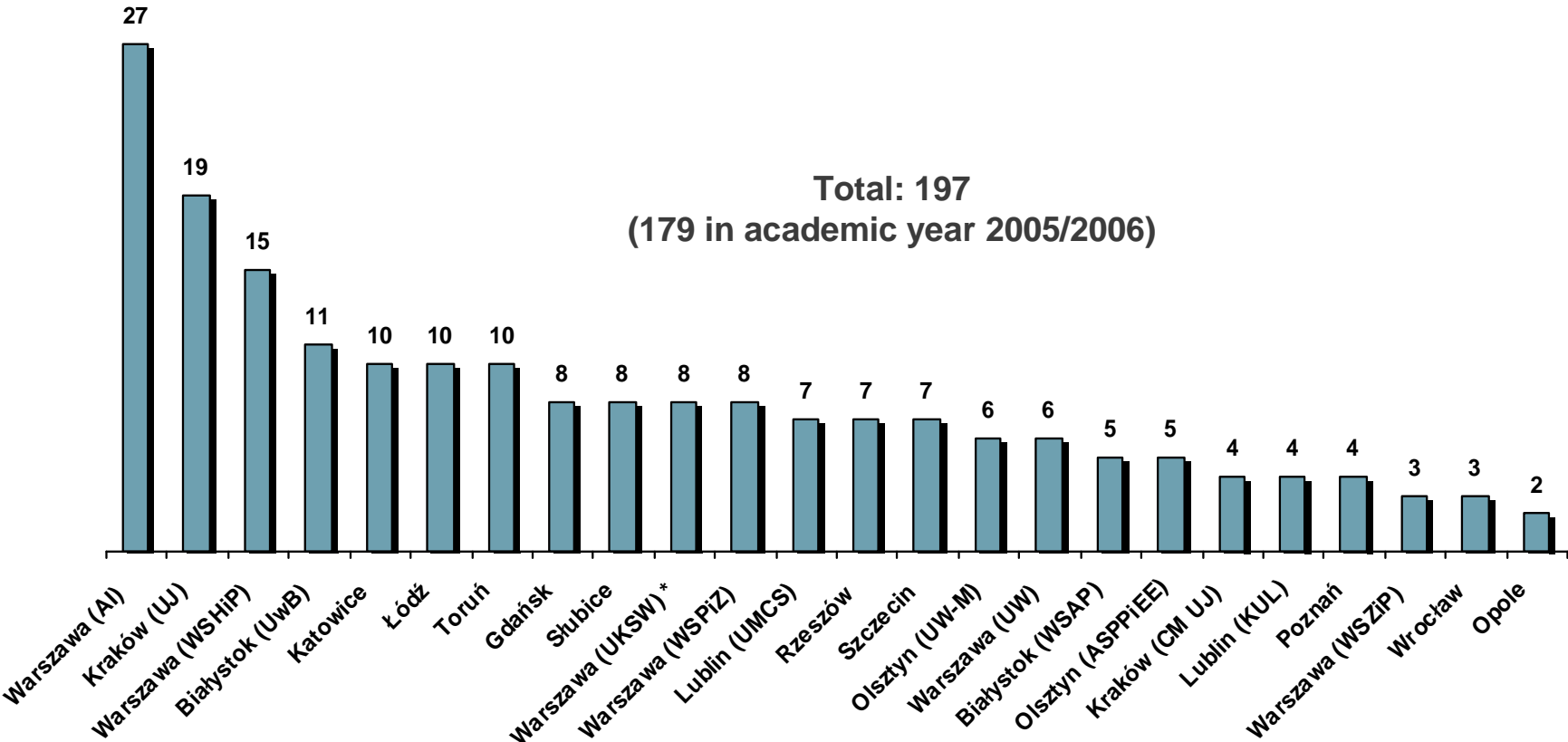


Number of students and teachers in years 2003-2007

# Number of cases accepted by the clinics

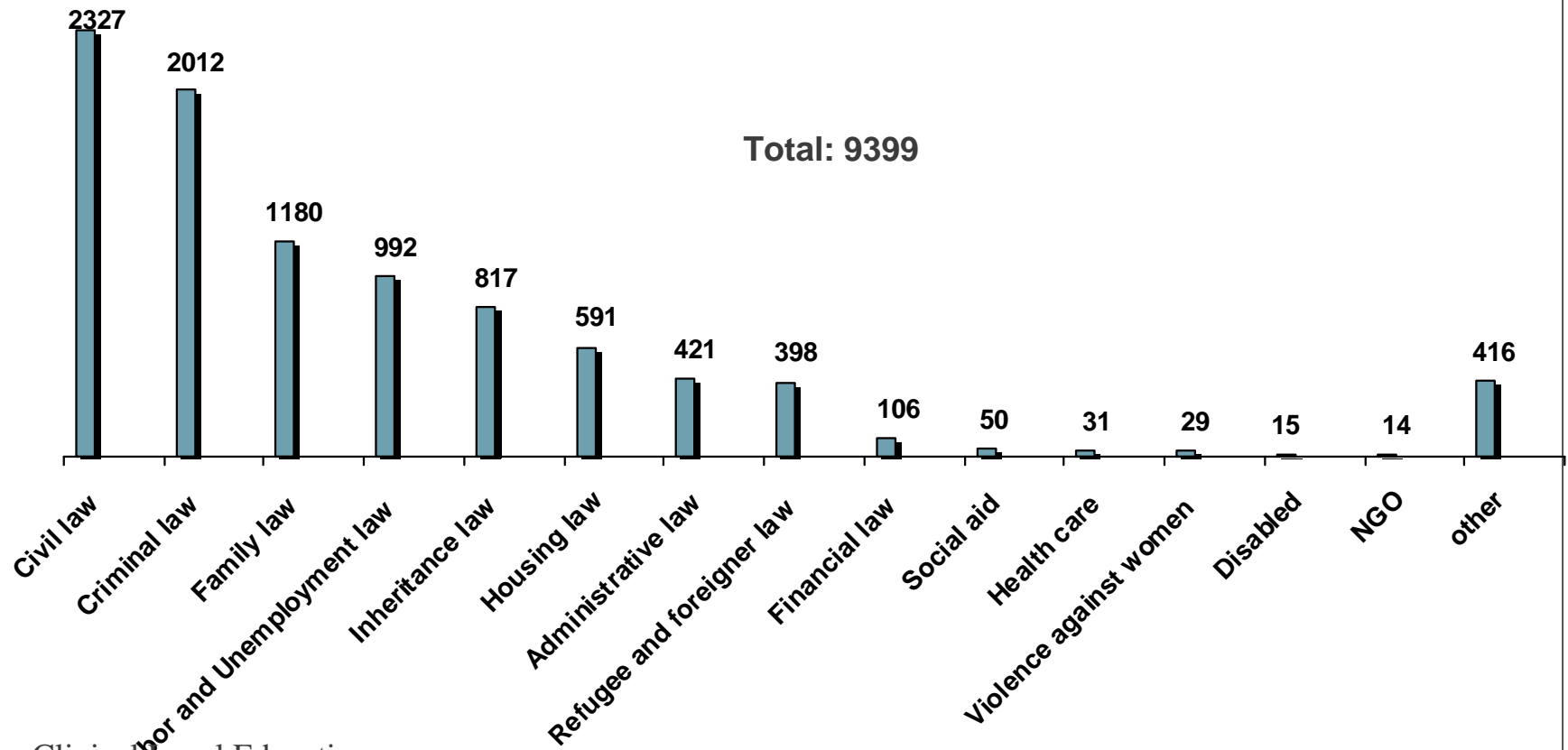


# Number of clinical teachers



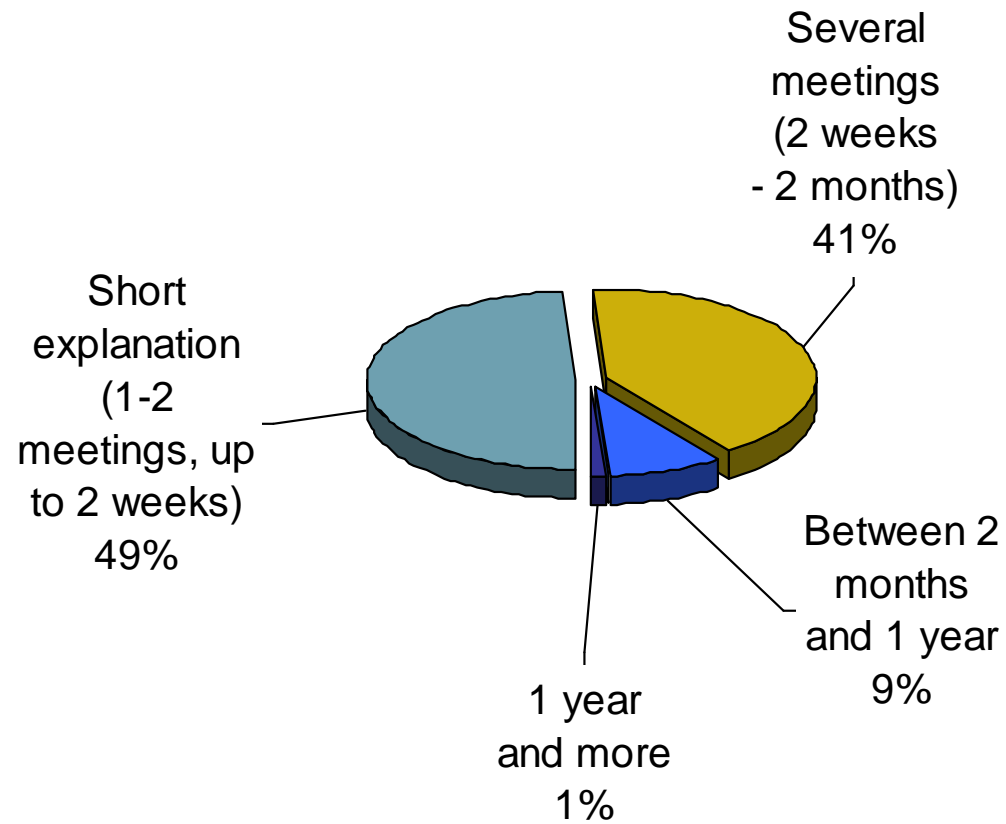
\* Clinic opened in 2006

# Types of cases

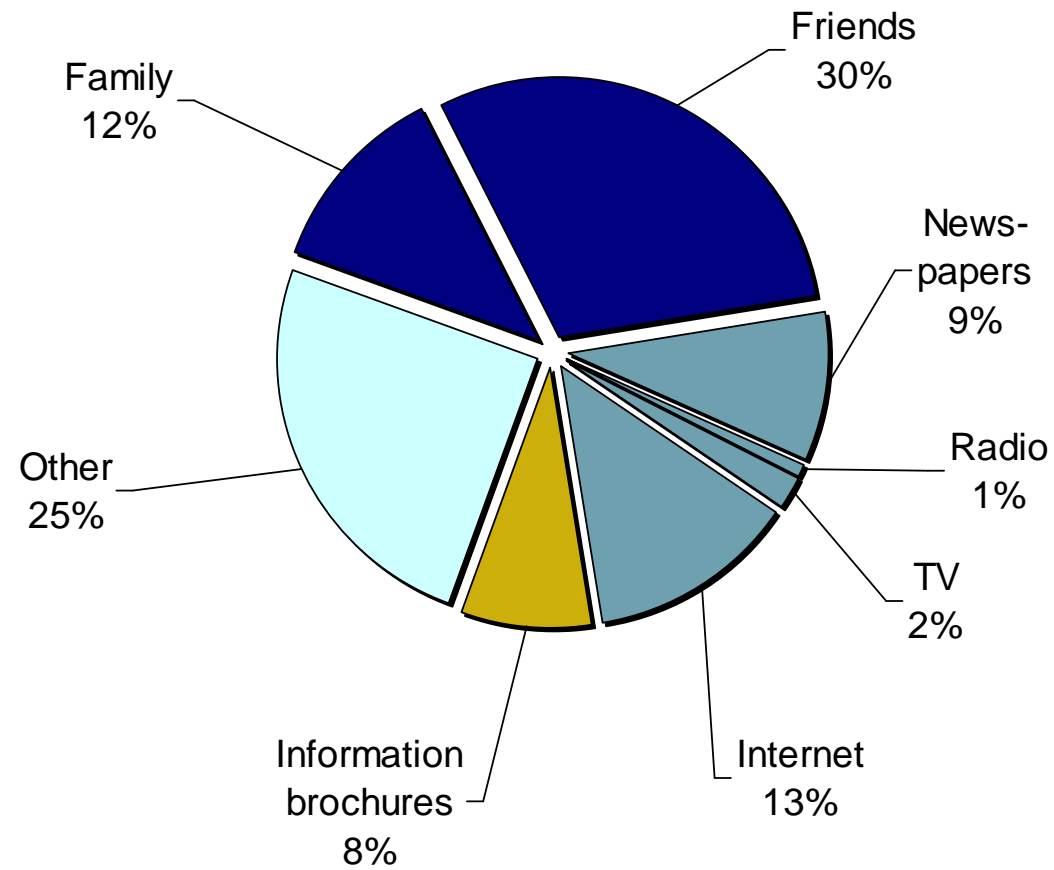




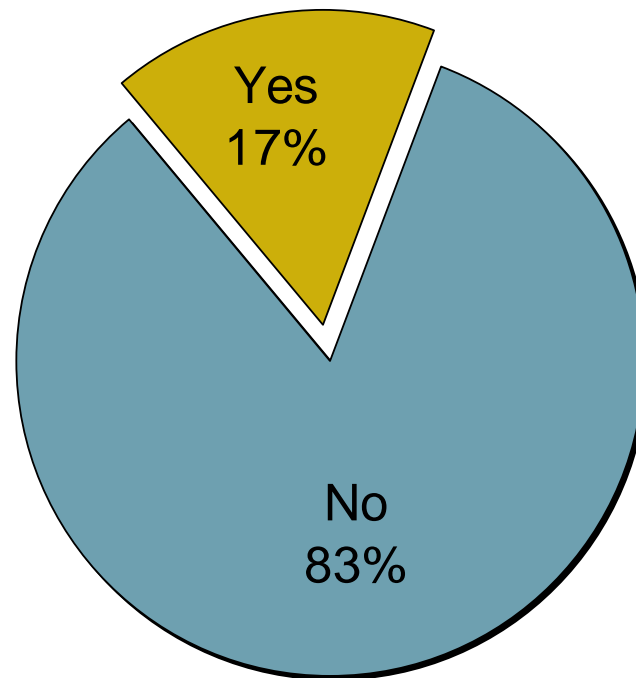
# Time of handling the case



# Sources of information about legal clinic



## Have the clients used professional legal advice before?



# Present status of the legal clinics in Poland

- There are very few NGO based legal clinics in Poland.
- Almost all of the **legal clinics in Poland are recognized by the Universities** as a part of the legal curriculum at our law schools (as one of the mandatory classes that are offered to the students).
- **Legal Clinics are present at every state law school** and at almost all private law schools.
- Some of the legal clinics gained a status of a chair or laboratory (in cities like: Krakow, Warsaw, Bialystok, Lodz)
- All of the legal clinics that are based at the Universities get all the **office costs covered as well as the professor's salaries paid by the Universities.**
- Legal Clinics Foundation and a group of legal aid NGO's with a support of the Ombudsman drafted a **new law on access to legal aid.** The Ministry of Justice included legal clinics activity as a part of the national network of institutions that will provide so called pre-trial legal advice and basic legal information to poor people.

## Bialystok Legal Clinic – short introduction

- Established in **1998** as a Tax Law Clinic;
- Developed to a **9**-section clinic in 2006/2007;
- Provided over **3000** legal services during last 10 years;
- **51** students and **11** supervisors (faculty members) working at the clinic in the 2006/2007.

# Structure

## **9 SECTIONS:**

- 3 X Civil Law and Procedure
- Criminal Law and Procedure
- Labour Law
- Administrative Law and Procedure
- Tax Law
- International Law
- Refugees and Human Rights

## **SECRETARY:**

- management and administration
- first contact with clients
- cases' assignments

## Additional activity of the Bialystok Legal Clinic

- Seminars and trainings for all members (i.e.: legal ethics, professional responsibility, psychology);
- Cooperation with the Ombudsman;
- Internship program: The Helsinki Foundation of Human Rights, The Ombudsman, several law firms in Bialystok;
- Annual publishing of most interesting cases;
- Student Information Points Program (Police stations);
- Cooperation with the Legal Clinics Foundation (2<sup>nd</sup> National Legal Clinics Conference in April 2004 and 8<sup>th</sup> National Legal Clinics Conference in October 2007);
- Establishment of the **Judicial Practices Center**.

# Annual Reports

## **Divided into particular sections' statistics:**

- number of cases accepted and rejected;
- number of students and supervisors working in the section;
- types of problems dealt with in different fields of law;
- types of documentation prepared by the students.



# Annual Reports

## **Divided into particular sections' statistics:**

- number of cases accepted and rejected
- number of students and supervisors working in the section
- types of problems dealt with in different fields of law
- types of documentation prepared by the students

## Sample of the Report – civil law sections

**Period:** **Oct.15 – May.15 2007**

Number of cases accepted: 124

Number of cases rejected: 7

Number of students: 18

Number of supervisors: 3

# Sample of the Report – civil law sections

## 1. FAMILY LAW:

### Pleadings prepared by the students:

- divorce petition
- separation petition
- increase of alimony amount petition

### Legal opinions prepared by the students:

- premises for divorce/separation
- protection from future debts of the partner in marriage
- seeking alimony from unemployed parent

# Sample of the Report – civil law sections

## **2. LAW OF THE SUCCESSION:**

Pleadings prepared by the students:

- petitions concerning the acquisition of inheritance

Legal opinions prepared by the students:

- invalidation of the last will
- relinquishment of the inheritance

## **3. OTHER:**

- usufruct contracts with minors
- reporting the change of address
- blank bills of exchange

**Thank you**