

Guidelines for the Legal Clinics of the Department of Law of the University of Roma Tre

SECTION 1 – GENERAL PROVISIONS

Article 1 – Aim and Purpose of the Guidelines

In the Department of Law of the University of Roma Tre are formally embedded the Legal Clinics which are optional courses, with compulsory attendance, active in both semesters.

The purpose of these Guidelines is to guarantee the quality of the activities carried out by the Legal Clinics and to ensure the transparency of the educational pathway and teaching model offered; an integral part of them is the Regulation for the Legal Clinics of the Department of Law of the University of Roma Tre.

The Guidelines apply to all the didactic activities of the Legal Clinics, which constitute university courses characterised by the promotion of the University's Third Mission (understood as openness towards the socio-economic context, and the establishment of direct contacts with subjects and social groups other than the established ones, through modes of interaction whose content and form are highly variable and dependent on the context) and, at the same time, for the enhancement of the commitment to scientific study, the identification of new lines of research and interaction with the scientific community.

The Legal Clinics of Roma Tre constitute a protected, safe and gender-equal learning environment.

Article 2 – Definitions:

- 1) Clinical legal education is a legal teaching method based on experiential learning, which fosters the growth of knowledge, personal skills, competences and values, as well as promoting social justice, by providing pro bono services. Clinical legal education uses practice-oriented, student-centred, problem-based, interactive teaching methods including, but not limited to, the practical work of students on real cases and social issues supervised by academics and professionals. These educational activities aim to develop professional attitudes and foster the growth of the practical skills of students with regard to the modern understanding of the role of the socially oriented professional in promoting the rule of law, the effectiveness of protection, providing access to justice and peaceful conflict resolutions, and solving social problems.

- 2) Legal clinics are educational organizational units applying clinical legal education methodology. Legal clinics differ by their methodology from other student-centred educational programmes such as, for example, moot courts or (in civil law jurisdictions) student presentation and analysis of existing case-law, since in legal clinics students are not involved in simulated proceedings but operate on the contrary in a real-life context.
- 3) Legal clinics' activities result from the cooperation of students, supervisors and/or users that benefit people or organizations outside the clinic.
- 4) A User is a person, group of persons, community, organization, or a public/private entity that is in demand of services from the law clinic.

SECTION 2 – GUIDELINES FOR ORGANIZATIONAL STRUCTURE AND OPERATION OF LEGAL CLINICS

Article 3 – Student well-being

- 1) Legal clinics should aim at providing secure and safe learning environment for students, designed in a way to optimize the learning experience and quality of provided services.
- 2) Students should be selected for participation in the clinic in a non-arbitrary and transparent manner, which ensures they fulfil the necessary and clearly stated requirements to participate in the clinic.
- 3) In the beginning of their clinical activities, students should be informed in a clear and complete manner about their rights and duties including:
 - a) liability for clinic's services,
 - b) confidentiality,
 - c) conflicts of interests,
 - d) professional ethics,
 - e) internal regulations and procedures of the clinic,
 - f) scope of their work in the clinic, and
 - g) the requirements to receive credit for it.
- 4) In the beginning of their clinical activities, students should receive training on skills, procedures, internal regulations and other areas necessary for participating in the clinic, which are not developed in other parts of the law school curriculum.
- 5) Supervisors should be regularly available to students for consultations, encourage their feedback and the development of professional behaviour and attitudes.
- 6) Legal clinics should adopt measures to ensure that students do not exceed reasonable workload during their participation in the clinic, provide training in time and case management in order to make sure that students are able to organize their work in a

sustainable and healthy way. Legal clinics should have measure in place to prevent burnout and other negative effects of clinical experience on students.

Article 4 - Transparency

1) Basic information about the clinic, the services it provides, the procedure for requesting its services and its rules should be publicly available.

2) At the beginning of clinical activities, users should be informed about the rules that regulate their relationship with the clinic, the services provided and the protection of confidential information and data.

3) Clinics should publish annual reports about their activities.

Article 5 - Documentation

1) The clinic should keep record of all communication with users and consent forms signed by the users. Files of users are archived for at least 5 years after the file was closed.

SECTION 3 – GUIDELINES OF EDUCATIONAL PROCESSES IN CLINICAL LEGAL EDUCATION

Article 6 – Learning and Teaching Objectives

The educational objectives of legal clinics should include, among others:

- 1) deepening of theoretical knowledge and integration of doctrine and theory from different areas of law,
- 2) development of practical skills such as communication with users, drafting of legal documents, legal research, time and case management and others,
- 3) development of understanding of professional values and professional responsibility,
- 4) fostering awareness of social justice,
- 5) multiple opportunities for student performance, self-evaluation, and feedback from supervisor.

SECTION 4 – GUIDELINES FOR SERVICES PROVIDED BY LEGAL CLINICS

Article 7 – Quality of Services

- 1) Legal clinics should aim at providing services of professional quality.
- 2) Supervisors should verify each information provided to the user as part of the legal clinic's service by students in advance.

- 3) The clinic should ensure sufficient expertise of supervisors and students in areas of law, where it provides services.
- 4) The clinic should set internal procedures for delegating users to other specialists in situations, where the clinic cannot provide sufficient level, extent, amount or quality of services. In such situations, besides delegating users, the clinic should take all necessary measures to protect users' interests.

Article 8 – Position of Users and Protection of their Interests

- 1) Legal clinics provide its services in the best interest of the user and based on explicit agreement, what are the goals of the client.
- 2) Students, supervisors and all other staff involved in legal clinics must respect dignity of users and act in accordance with professional standards and values.
- 3) Before providing legal services, legal clinics should inform users about the type of service they provide, the legal basis and principles governing their relationship with users, the extent of students' work within their legal clinic.
- 4) Legal clinics should disclose to the user the extent of the liability of their legal clinic for the services they provide to the user. Legal entities responsible for legal clinics should have insurance covering all activities of the clinic or have equivalent internal policy ensuring protection of interests of users.