

STUDENT LEGAL
SERVICES PLAN
ANNUAL REPORT
1978-79

TO THE BOARD :

Note that this is only a first
rough draft. Certain portions of it
are in outline/summary form and
all is subject to revision. Clearly
it is in need of polish etc.
It is NOT for dissemination.

RTW

INTRODUCTION

A general introduction will be written briefly touching on the present state of the office and the Program and outlining the achievements of the past year. Mention will also be made of the capital acquisitions of the office, law student participation in the program, the hiring of a 2nd attorney and whatever else seems appropriate.

IMPLEMENTATION AND OPERATION

I. PHYSICAL OPERATIONS

Located in Room 268 of the Illini Union, near several other student organizations and social service agency offices, the Student Legal Service office maintains normal University operating office hours: 8:00 A.M. - noon and 1:00 P.M. - 5:00 P.M., Monday through Friday. Since it is in the heart of campus, the office seems to be as accessible as possible to the greatest number of students. The address and phone number are widely advertised, appearing in all major campus resource publications.

The physical size of the office is one of the major problems facing the Student Legal Service. With the hiring of a second attorney, there is no longer a private conference area that is always available for law students. The Advisory Board, in an effort to meet the office's need for physical expansion, has given its approval that estimates be obtained for installation of an additional wall or partitions in the office. This would serve to section off the student interns and their clients, eliminating noise and other distractions. Plans for the required estimation, approval, and building process are just now getting underway.

Of fundamental importance to the Program is the building of a quality library. This year, \$4,500 or roughly 10% of the Student Legal Service budget was allocated toward book purchases. The collection now consists primarily of Illinois Decisions, Illinois Smith-Hurd Annotated Statutes, Illinois Law and Practice and several Illinois Institute for Continuing Legal Education handbooks. It

is rounded out by various journals, handbooks, and other desk reference resource volumes. (See Appendix). Efforts to broaden the scope of this collection are ongoing.

Other significant acquisitions include various items of office equipment. Among those items are an IBM Correcting Selectric II Typewriter and a Lanier Dictaphone system. With the addition of a second Student's Attorney, more items of this nature may become necessary in the future.

A summary of the Program budget is contained in the Appendix. While categorical shifts will no doubt occur as the Program progresses from start-up on into its second year, the summary does provide a general breakdown of expenditures for the first nine months of operation.

II. OFFICE PROCEDURE - SERVICE TO INDIVIDUAL STUDENTS

A. Clients

1. Eligibility

Any registered student at the University of Illinois, Urbana campus is a potential recipient of the Program's services. After the period during which refunds are made available, only students who have not requested a return of the \$3.00 SORF charge are eligible for counseling service. Pursuant to the Student Legal Services Plan, only those students who qualify as indigents may be represented in litigation by the Students' Attorney in non-housing matters. However, even those students who do collect a refund are indirectly benefited by the Program's preventive legal education program via newspaper articles, lectures and the like.

Since the Program opened its doors last October, 1,942 students have availed themselves of the office's services through telephone or other office contact. (See Appendix). These clients represent a true cross-section of the student population, with a wide variety of problems and concerns. The Student Legal Service Program has been, and continues to be, genuinely committed to a policy of non-discrimination in accordance with University policy.

2. Client Intake Procedure

While the program attempts to remain flexible enough to meet the needs of its numerous clients, professionalism

A. Clients

2. Client Intake Procedure (cont.)

and office management require every client to follow the same general procedure, with few variations and no exceptions. Current procedure on client intake at the Student Legal Service office is generally outlined next.

When a student client visits the office, he/she is asked to present a current University identification card from which it is ascertained whether a SORF refund was collected that semester. If the prospective client has received a refund, every effort is made to determine another source of relief to the client, such as one of the many local social service agencies. If this fails, or is inadequate to deal with the client's problem effectively, a referral is made to the Champaign County Bar Association Lawyer Referral Service.

Assuming that no SORF refund was obtained, the client is asked at that time to fill out a fact sheet describing the question or problem requiring attention (see Appendix). An appointment with one of the law interns is then arranged. Unless the problem requires immediate action, there is generally a short waiting period between this first visit and the appointment, seldom more than two to three days.

Prior to meeting with the client, the student intern familiarizes him/herself with the fact sheet, researches the relevant area(s) of the law, and attempts to formulate questions in order to make the interview an efficient and

A. Clients

2. Client Intake Procedure (cont.)

effective use of time. (See Appendix). The intern reviews the intake sheet and his/her preparation materials with the Student's Attorney; advice, additional issues, and resolution of the matter are discussed. Should situations arise during the client counseling session which the intern could not foresee, the attorney will often be nearby and able to assist. If not, the client will be contacted as soon as possible regarding the particular problem posed.

At the conclusion of each appointment the intern indicates on the intake sheet which legal issues were discussed, along with a statement of the advice given, including citations to law where applicable. The sheet is then reviewed by the Student's Attorney for a second time. If the matter requires no further conference with the client, the sheet is filed and the contact is considered terminated. Should a follow-up session be necessary in an advice only matter, the intern arranges another appointment with his/her client. When it is determined that the matter is one for litigation or other action by the Student's Attorney, an appointment will be made for the client to meet with the attorney. The student intern continues to pursue the matter along with the Student's Attorney and assists in the final disposition of the matter.

All client contacts with the Student Legal Service Program, including telephone calls, are carefully documented

Somewhere along in here will be inserted a paragraph concerning the appeal procedure to the Board

A. Clients

2. Client Intake Procedure (cont.)

and kept on file in the office. One alphabetical file is kept so that every client's date of appointment and type of problem is on record with the Program. This serves as a cross reference for the second filing system, set up according to the disposition of the clients' contacts, i.e., all closed cases, all open cases, and all advice only matters are filed separately. Copies of all correspondence, Minutes of all Advisory Board meetings, and budgetary records are also kept.

3. Complaints and Client Satisfaction

Although the Program has received no complaints or criticisms pertaining to the quality of its legal services, several aspects of a procedural nature have been found objectionable by a number of students. Frequently, these complaints arise in connection with the Program's refusal to provide legal information over the telephone. Aside from the problem of verifying the caller's identification and eligibility, lack of documentation and preparation combine with professional ethics to require steadfast adherence to current procedures in this regard. Students also often balk at the policy of having to arrange for their appointments in person. Again, due to the necessity of verifying the caller's eligibility for service and interns' need for written statements of their clients' concerns, this policy

A. Clients

3. Complaints and Client Satisfaction (cont.)

cannot be compromised. Past experience of other similarly structured agencies also shows that the problem of "no-show" clients is considerably lessened by this procedure, although it has not yet been eliminated entirely at the Student Legal Service office.

Once a client prepares an intake sheet, the delay before his/her appointment with an intern is sometimes another source of irritation. The client is advised that, since no immediate action is required, the delay is necessary to accommodate him/her and the rest of the Program's clients with the highest quality service possible. Some students are more understanding than others in this particular circumstance. To avoid this situation wherever possible, information explaining the Program's purpose and procedures has been made available to students via handouts, newspaper articles, and advertisements.

In an attempt to solicit feedback from clients regarding both the office procedures and the usefulness of legal efforts expended in their behalf, an evaluation questionnaire is being devised which will be made a part of the interns' follow-up procedure as soon as practicable. Prior to the conclusion of any client contact, that is, after final review of the client intake sheet by the Student's Attorney, the client will be asked his/her opinion of the service and the treatment he/she received. Clients will be encouraged

A. Clients

3. Complaints and Client Satisfaction (cont.)

to follow up this initial evaluation after the problem discussed with the student intern has been resolved; this should enable the interns and the Student's Attorneys to assess their strengths and weaknesses in particular areas of their work and adjust accordingly.

B. Scope of Service and Statistics

The annual statistical data included in the Appendix is a composite of monthly intake statistics compiled by the secretary. Stated in sheer numbers, client contact with the office is formidable (1,942 in the 11-month period). Excepting weekends, official University vacations and holidays, an average of 11 persons per day used the Service during the Fall (October-December), Spring and Summer terms.

The statistical breakdown included in the Appendix reflects client contact in three major categories: 1) general information and referral, 2) advice only, and 3) cases represented.

Referrals

If a prospective client is ineligible for individual advice, counseling and representation, every effort is made to determine another source of relief. Frequent referrals are made to the Champaign County Bar Association Lawyer Referral Service or to Social Services Agencies, including Central Illinois Consumer Service, C-U Tenant Union, International Students' Office and University Ombudsperson.

B. Scope of Service and Statistics (cont.)

Advice Only Statistics

The "advice only" statistics represent those matters which are resolved through the advice of the law student interns, in consultation with the Student's Attorney, or through counseling of the Student's Attorney.

Housing and Traffic matters accounted for almost one-third of the advice only contacts with the office. Another 12% dealt with Family matters, 11% with general Civil matters. Other matters, each accounting for five to eight percent of the advice only contacts, were Accident, Consumer, Criminal and Small Claims. The wide range of other matters, comprising the remaining 16% of advice only contacts are detailed in the Appendix.

Cases Represented Statistics

This category includes for the most part only matters in which the attorney enters his appearance as of record in a court proceeding. The very few exceptions would be cases where a negotiated settlement is arrived at prior to the appearance date on a suit. The majority are cases that have actually proceeded to litigation.

The actual case statistics indicate that fully one-third of the cases handled in the office were Family matters. While family contacts with the office include adoption, child custody, guardianship and paternity, the greatest number of family matters which reach case status are divorces, in large measure uncontested. In addition, 20% of the cases represented by SLS were Housing matters, 16% Traffic, 12% Criminal, 6% Small Claims. Those matters representing 3% or less of the case load, are fully detailed in the Appendix.

III. PREVENTIVE LAW ACTIVITIES

All registered students at the Urbana-Champaign campus can benefit from the preventive law activities provided by Student Legal Service. The design of the preventive law activities is to educate students in the management of their personal affairs under the law. To that end, SLS offers law-related services to campus organizations, student groups and dormitories. Services have included seminars and workshops for various campus groups and participation in such University functions as the Campus Resource Fair and Quad Day. Invitations have been extended to all campus groups to avail themselves of the educational resources of the office. (See Appendix).

In addition, SLS makes available to students law-related publications. SLS is presently having published the "Student Legal Service Guide to Small Claims Court," which takes students step-by-step through the small claims court action. This booklet will soon be available for use by students. Informational pamphlets published by the Illinois State Bar Association are also available in the office.

The Students' Attorney has written numerous articles for the Daily Illini, providing information on student rights and responsibilities in consumer, criminal, housing, auto accidents and tax matters. (See Appendix).

Most recently, a general informational summary of SLS operation was sent to all University Resident Advisors for use in familiarizing dormitory residents, particularly new students, with the office. (See Appendix).

A comprehensive legal handbook for students is now being planned by the SLS. The handbook will provide legal information in areas of

particular student interest. Areas to be covered include consumer affairs, domestic relations, housing matters, the criminal process, commercial transactions, voting and immigration.

Several other ideas for extending and broadening the educational functions of the office are presently being explored and formulated. It is envisioned that these will include both additional written materials and an expanded schedule of speaking engagements. Effort will be made to evaluate the reach and effectiveness of these activities.

IV. LIAISON WITH BAR ASSOCIATION

The Legal Services Plan mandates that the Students' Attorneys will establish and maintain liaison with appropriate members of the Champaign County Bar Association in order to secure local support for the program and to facilitate effective and prompt handling of referrals. An extra effort has been made in this direction and the results have been positive.

The office makes referrals to members of the private bar only through the Champaign County Bar Association Lawyer Referral Service. If the SLS is unable to assist a student with a particular problem, but it is determined that he/she is in need of legal representation, the student is advised to secure private legal representation. They are further advised that if they do not know of a private attorney to contact, they should contact the CCBARS and are given the Referral Service telephone number.

The Students' Attorney has made a concerted effort, both formally and informally, to secure for the Program the support and goodwill of the Champaign County Bench and Bar. As part of that effort, the Students' Attorney met with the Board of Governors of the Champaign County Bar Association at their September meeting. The Board was provided with written summary of the annual statistics and a general discussion was held regarding the operation of the office and its relationship with the private bar. The reaction to the program, its operation, policies and method of handling referrals was very positive. The Program looks forward to a continuation and strengthening of this positive relationship with the bar. (See Appendix).

IV. LIAISON WITH BAR ASSOCIATION (cont.)

The Students' Attorney is an active member of the Champaign County Bar Association, the Illinois State Bar Association and the American Bar Association. He also is a member of the Illinois State Bar Association Standing Committee on Legal Education and Admission to the Bar.

V. LAW STUDENT PARTICIPATION IN PROGRAM

One of the goals of the Student Legal Services Plan, as set forth in its statement of purpose, is the development of a law student internship program. Considerable progress has been made in this direction. Beginning in the 1979 Summer Session, law students from the University of Illinois School of Law became eligible to receive law school clinical credit for work performed in the office. The attainment of clinical credit status for the Program was an important step in implementation of the Plan and hopefully signals the beginning of a significant, mutually advantageous working relationship between the Program and the Law School.

Efforts are being made by the Students' Attorney and the Advisory Board to expand this program to include participation by law students pursuant to Illinois Supreme Court Rule 711. Rule 711 allows third year law students to engage in actual courtroom litigation and representation under the supervision of a practicing attorney. The office is optimistic that such status can be attained by the summer or fall of 1980.

The law students participating in the Student Legal Service Program are indirectly responsible for the Program's success in achieving its purposes as set forth in the Student Legal Services Plan. Upon satisfactory completion of 90 hours of work in one semester, these students receive one hour of academic credit through the College of Law's clinical training course. As many as five law students may work in a given semester as student interns with the Program.

Each student intern is exposed to a wide variety of legal problems and has the opportunity to implement his/her educational training

V. LAW STUDENT PARTICIPATION IN PROGRAM (cont.)

in a real and very practical work situation. In addition to conducting initial interviews, the law student assists in all pre-trial matters involved in arriving at a full and satisfactory solution of his/her client's legal problem.

Student interns' work is carefully supervised by the Students' Attorney; substantial interaction between the attorney and student interns takes place throughout the counseling and litigation process. Student interns consult the Students' Attorney prior to each appointment with a client. Further, appointments are scheduled so that the attorney may be consulted during the counseling session, whenever possible. Written records are kept, detailing the advice given to each client. These statements are read and approved by the Students' Attorney before a client contact is considered concluded. Not only does this serve as a direct "one-to-one" learning experience for the intern, but it also provides a means whereby their activities can be continually monitored. Individual review and comment on the quality of an intern's work is facilitated by this process.

Monthly student intern meetings allow for law students' additional participation in the mechanics of the Program, providing a forum for informal discussion and feedback to the Students' Attorney. Each intern working in the office will also be required to prepare at least one outline of an area of the law with which this office commonly deals. These outlines are then distributed to the other interns, and the author conducts a presentation or discussion of the legal issues involved.

Each intern keeps a log of time spent in the office and of outside work performed on cases or other projects related to the Program.

V. LAW STUDENT PARTICIPATION IN PROGRAM (cont.)

Specifically, interns interview clients, contact opposing parties involved in controversies, prepare and/or assist in the preparation of necessary pleadings, research particular projects assigned to them involving questions of law raised by specific client problems, and participate, under the attorneys' supervision, in all facets of the cases with which they become involved. Student interns are encouraged and expected to take primary responsibility for each of his/her clients, from the initial client contact until final resolution of the matter. It is hoped that this approach provides the student interns a meaningful educational experience and the opportunity to be involved in the practical day-to-day application of the law.

Benefits of student intern participation in the Program run both ways. The assistance of student interns is essential to the Program's effectiveness on a large scale. Because of the excellent legal education they receive at the University, their research, client screening and follow-up work is of the finest quality and has proven invaluable to the Students' Attorney. The number of interns is kept relatively small in order to promote close supervision and efficient office management.

It is hoped that in the near future the office will become eligible for 711 interns. The attainment of such status will allow the office to make far greater utilization of the law students. This will result in greater benefits to the student body as well as increasing the educational opportunities available to law students participating in the program.

VI. S.O.R.F.

While the Student Legal Service Program shares its source of funding and pilot program status with the Student Organization Resource Fee (S.O.R.F.) Allocation Advisory Board, the two enjoy only minimum contacts on an operational or policy level. In an economic sense, the S.O.R.F. Board begins where the Student Legal Service Program leaves off. Although both the S.O.R.F. Board and this Program are both designed to inure to students extracurricular benefit, their duties and obligations are substantially so different as to preclude the establishment of close ties between the two bodies.

This is not to say that the Student Legal Service Program and S.O.R.F. are disinterested in one another. On the contrary, the connection that does exist is a positive one, based upon mutual cooperation for the purpose of achieving the mutual goal of providing additional services and activities for the Urbana campus student community.

This year will initiate a significant change in the appropriation of S.O.R.F. funds to the Student Legal Service Program. An additional \$10,000 was added to last year's \$50,000 off-the-top allocation, pursuant to Board of Trustees approval and S.O.R.F. Allocation Board support. At the time the S.O.R.F. Allocation Board received the increased funding proposal, it arranged an open accountability session to garner students' reactions to the request. None of those attending the meeting voiced any reservations or opposition to the suggested increase.

A new schedule for the disbursement of funds accompanies the increase. Unlike last Fall's lump-sum payment method, there will

VI. S.O.R.F. (cont.)

now be three disbursements, of \$25,000 from the Fall and Spring collections and \$10,000 from Summer session receipts.

The immediate effect of this new schedule will be a great increase of available funds for student organizations' use during the ~~Fall and Spring semesters.~~

EVALUTAION OF PROGRAM AND RECOMMENDATIONS

I. EVALUATION

II. RECOMMENDATIONS

A. Office Space

There is a need for expanded office facilities - possibilities have been explored and will continue to be. Location and accessability are primary considerations along with office layout conducive to needs of a law office, i.e., confidentiality. The proposed renovation of the present office will provide an adequate short term solution to the space problem. This should allow us the extra time and opportunity to continue the search for appropriate offices.

B. Complaints/Client Satisfaction

As mentioned previously, there is at present a need to assess the Program's advice counselling efforts regarding individual client contacts. Because of the continuous

II. RECOMMENDATIONS

B. Complaints/Client Satisfaction (cont.)

flow of students seeking advice from law student interns, it is not feasible to ask that they conduct the follow-up work themselves, yet it is necessary that they be evaluated by persons in a position to appreciate the practical value of their efforts.

For that reason, various methods of evaluation are being explored; written questionnaires, telephone polls, and suggestion services were contemplated, with the questionnaire format finally chosen as the one lending itself most to efficient implementation with the highest likelihood of achieving the desired results.

C. S.O.R.F. Survey

For many reasons, the Student Legal Service Program operates strictly on a one-way communication basis. As a result, it is difficult to gauge the effects of the Program's preventive education projects, and it is equally difficult to ascertain whether or not students understand what the Program is, what its aims and scope encompass, how it is actually funded and what its position is in relation to other facets of the S.O.R.F. project. Assuming that an assessment of students' overall understanding of the S.O.R.F. project would benefit all concerned, a survey would seem an appropriate aid in the determination. Infor-

II. RECOMMENDATIONS

C. S.O.R.F. Survey (cont.)

mation collected in this regard would be the best indication to all concerned of where awareness of S.O.R.F. sponsored activities is needed and offers students the chance to comment upon their perceptions of the project's success.

D. Indigency

One of the primary concerns of the Program throughout the year has been the operation of the indigency requirement and its effect on the service offered to individual clients. This concern presents itself on two levels; the effect that the requirement itself has on individual representation and the resulting equities or inequities of its application, and, the procedural aspects and method of the appeal procedure to the Advisory Board for those students with non-housing problems whose income exceeds the allowable level.

- Application of the Requirement
 - are the dollar figures realistic?
 - does the application of the requirement as it now stands operate to effectuate the results contemplated by the Plan?
- Alternatives should be explored
 - raising dollar figure for indigency
 - creating new categories that will be eligible for automatic representation, i.e., consumer matters

II. RECOMMENDATIONS

D. Indigency (cont.)

- including those persons whose sole source of income is a University assistantship in the category of those deemed automatically indigent.
- The above possibilities should be considered and more thoroughly explored
- Appeal Procedure to Board
 - present operation
 - possibility of the Board devising rules of thumb to be applied across the board rather than dealing with each case on an ad hoc basis
 - Recommendation that this should be considered and explored