

**WASHINGTON UNIVERSITY SCHOOL OF LAW
 CIVIL RIGHTS, MEDIATION & COMMUNITY JUSTICE CLINIC
 LEARNING CONTRACT
 PROFESSOR KAREN TOKARZ**

Student: _____ **Supervising Attorney:** _____

The Civil Rights, Mediation & Community Justice Clinic (CRMJC) is designed to introduce students to law and public policy issues in the context of civil rights practice; to experience client advocacy and dispute resolution through mediation, litigation, legislation, and community lawyering; to learn the skills and values involved in representing a client and a client community; to learn substantive and procedural law; to examine critically the role of law, lawyers, and the legal system; and to develop a facility for self-assessment, self-directed learning, and collaborative learning.

To ensure an understanding of civil rights, mediation, and community justice practice, CRMJC students must complete multiple practice and observation requirements during the semester. These practice and observation experiences are designed to expose students to a broad cross section of civil rights practice with state and federal courts, administrative agencies, alternative dispute resolution avenues, and community organizations.

The practice and observation requirements set out below are intended to be minimum course requirements to ensure that CRMJC students are exposed to a broad cross section of lawyering experiences. It is expected that during the course of the semester that students will perform at least some of these tasks far more often than the minimum requirements.

Students: You should meet with your supervising attorney before or during the first week of classes and negotiate a personalized Learning Contract, and submit this Learning Contract to Professor Tokarz with your second weekly journal. Be prepared to suggest alternative "lawyering" or "advocacy" experiences to substitute for any requirement on this generic form. If you or your supervising attorney do not think your placement will allow you to complete all of these requirements during the semester, please discuss this with Professor Tokarz as early as possible.

During the semester, you will research and draft various legal documents. After review and comment by your supervising attorney, your written work should be redrafted. Copies of all written work that you produce in the clinic should be submitted, in draft and final form, on a regular basis to Professor Tokarz's mailbox in Room 301 (in a confidential envelope).

This Learning Contract must be periodically reviewed with and signed by your supervising attorney, and submitted to Professor Tokarz. The form is cumulative in nature and will be returned to you the following week. This Learning Contract should be turned in on the dates indicated on the last page of this document. Remember to keep this form confidential; it is your work product.

FOR EACH ACTIVITY YOU INCLUDE ON THE LIST BELOW, PLEASE IDENTIFY THE CASE NAME, THE DATE OF THE ACTIVITY, AND A BRIEF DESCRIPTION OF YOUR WORK.

Significant Case Responsibility, Case Evaluation, Case Planning, and Problem Solving - Students must have significant involvement in a minimum of three cases/projects during the semester with your supervising attorney, another attorney in the office, or Professor Tokarz. For each case, identify the problems and articulate the strategies and steps you will be undertaking during the semester.

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Interviewing and Counseling Clients – Students must participate in a minimum of four client interviews and/or counseling sessions with new or existing clients under the supervision of your supervising attorney or another attorney in the office. *Students must conduct at least one interview or counseling session by yourself.*

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Factual Investigation and Informal Discovery – Students must engage in at least three fact-finding investigations (non-book, people-oriented, information gathering), e.g., interview a third party witness, talk to members of the client community, request documents from an agency, verify information with a witness or another source, research corporate status, etc.

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Legal Memos: Research, Analysis, and Writing* - Students must research and draft, and then redraft – *following written critique by your supervisor* – a minimum total of ten pages of polished legal persuasive writing, e.g., memorandum in support of a motion, memorandum in support of legislation, pretrial brief, trial brief, appellate brief, etc.

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* Please submit copies of all written documents to Professor Tokarz’s mailbox in Room 301.
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Legal Documents and Written Discovery* - Students must research and draft, and then redraft – *following written critique by your supervisor* – a minimum of three different legal documents, e.g., petition, complaint, affidavit, answer, motion, affirmative defense, counterclaim, interrogatories, request for admissions, responses to discovery, settlement agreement, proposed legislation, administrative decision, estate planning documents, etc.

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* Please submit copies of all written documents to Professor Tokarz’s mailbox in Room 301.
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Administrative Hearings – Students must observe and participate in, to the degree possible, at least two administrative hearings on an employment, immigration, HIV/AIDS, or civil rights matter in an administrative agency forum such as E.E.O.C., N.L.R.B., Missouri Division of Employment Security (unemployment compensation or workers compensation), Social Security, Missouri Commission on Human Rights (minimum three hours).

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Litigation – Students must observe and participate in, to the degree possible, at least two stages of civil rights, immigration rights, or employment litigation (preferably in your field) in state or federal court (minimum three hours total):

1. Motions

2. Jury Selection

3. Opening Statements or Closing Arguments

4. Direct or Cross Examination

5. Appellate Arguments

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Depositions (optional) – Students may observe and participate, to the degree possible, in the preparation, taking, or defending of at least one deposition with your supervisor or another attorney in the office (minimum one hour).

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Mediation and Dispute Resolution – Students must participate in at least four dispute resolution events during the course of the semester. One of these is the mandatory training at the beginning of the semester and one is a required observation at U.S. Arbitration & Mediation Services-Midwest. (To schedule observation at USAM, contact Tammy at 314-231-4642.) At least two of these events must be actual mediations or other attempts to settle a dispute, e.g., settlement negotiations or settlement conferences, with Professor Tokarz, Mike Geigerman, your supervising attorney, or another attorney in your office (minimum 20 hours total).

1. Interviewing, Counseling, Negotiation & Mediation Training

2. Observe mediation at USAM (minimum 3 hours, preferably more)

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Community Lawyering Projects – Students must connect with their client community, participate in community lawyering projects, and engage in advocacy on behalf of the client community, e.g., attending city council meetings; participating in dispute resolution projects in the community, community outreach, and education with client organizations; and/or legislative drafting and advocacy with Professor Tokarz, your supervising attorney, or another attorney or social worker in your office. Students should initiate these projects as soon as possible. (minimum 20 hours total).

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Professional Meetings – Students must attend at least one professional meeting with Professor Tokarz, Mike Geigerman, your supervisor, or another attorney, social worker, or legislator in your office, e.g., Bar Association of Metropolitan St. Louis, Women Lawyers Association, U.S. Arbitration & Mediation Service, Mound City Bar Association, National Employment Lawyers Association (minimum 2 hours).

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PRACTICE & OBSERVATION INFORMATION

If all works well, most of your practice and observations will occur in the normal course of your clinic experiences. If they do not, ask your supervisor, other attorneys in the office, and other clinic students for suggestions. Watch the CRCJC Master Calendar posted on the web. If you know of interesting trials, hearings, or changes to the calendar, please share with Professor Tokarz and the rest of the class.

U.S. Arbitration & Mediation Services-Midwest is located at 720 Olive, Suite 2300. (To schedule a mediation observation at USAM, contact Tammy at 314-231-4642.). The U.S. District and Magistrate courts for the Eastern District of Missouri and the Eighth Circuit Court of Appeals are located in the Thomas F. Eagleton Federal Courthouse downtown at 111 South Tenth Street. There are also federal courthouses in East St. Louis and Alton, Illinois. Missouri state courthouses are located in St. Louis City at 1114 Market Street (Carnahan Courthouse), 10 North Tucker (Civil Courts Building), and 1320 Market Street (Municipal Courts Building where state criminal trials are held) and in St. Louis County at 7900 Carondelet in Clayton. The Missouri Court of Appeals in St. Louis is located in the Wainwright Building 111 North Seventh Street.

Administrative hearings occur in many federal and state agencies including E.E.O.C., the N.L.R.B., Workers Compensation Office, Unemployment Compensation Office, Social Security Office, and other administrative agencies. You can call all these offices for more information.

You can take the Metrolink to downtown St. Louis. The cheapest parking is on the street or in the lot behind City Hall.

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STUDENT	SUPERVISOR	DATE (due 9/7/09)
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STUDENT	SUPERVISOR	DATE (due 9/21/09)
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STUDENT	SUPERVISOR	DATE (due 10/12/09)
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STUDENT	SUPERVISOR	DATE (due 11/2/09)
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STUDENT	SUPERVISOR	DATE (due 11/30/09)
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STUDENT	SUPERVISOR	DATE (due 12/7/09)

