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# Law 491

## LSLAP Credit Program

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### Overview

This six (6)-credit course is a full year (two terms) course, which offers students the opportunity to combine practical experience with academic study. Law 491 provides a unique opportunity for students to learn how to think critically and strategically about all aspects of client representation and the practice of law by providing a hands-on experience.

The course is based on a pass/fail evaluation of practice and academic achievements. The six academic credits are allocated as follows – 4.5 for the practice component (which includes .5 credits for attendance at the Robson Square Small Claims clinic) and 1.5 for the academic component.

### Course Outline

While enrolled in the program students will develop skills, including: interviewing, counseling, negotiation, and drafting and oral advocacy. Students will use the latter when appearing before the Provincial Court (in the Criminal and Small Claims Divisions) and administrative tribunals (such as Employment and Income Assistance Tribunals, Immigration Tribunals, and Residential Tenancy Arbitrators). The term begins with an intensive orientation period. At this time students will be introduced to some of the skills and law necessary to effectively represent LSLAP clients. Orientation will include lectures, demonstrations, role-plays, and critiques of role-plays.

All files being conducted by students will be reviewed during two formal

### Important Information:

**Terms:** September 1 2018 - April 30 2019  
Off Time-table

**Lecturer:** Christopher Heslinga  
**E-Mail:** [civil.sl@lslap.bc.ca](mailto:civil.sl@lslap.bc.ca)  
**Office:** Room 129 Allard Hall

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#### September 2018

Orientation Week (Dates TBA)

Students will be introduced to some of the skills and law necessary to effectively represent LSLAP clients.

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#### November 2018

File Review (Dates TBA)

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#### March 2019

File Review (Dates TBA)

file reviews, (November and March). In addition all trials and other significant court appearances will be attended and supervised by either your principal or a volunteer supervising lawyer. During the term students will also participate in a series of seminars dealing with file management, stress management, time management, and various legal issues. Each term a member of the local Provincial Court Bench and/or Bar meets with students to discuss concerns of the Bench, talk about effective advocacy and respond to student questions. On a bi-monthly basis students will attend seminars and/or planning and case commentary meetings. During these meetings students will discuss the legal, ethical, policy and procedural issues, which arose in the cases they dealt with during the week(s). While structured, the meeting is conducted in an informal atmosphere.

**PLEASE NOTE: Students are also required to sign and abide by the LSLAP Code of Conduct and Practice.**

## **Goals**

The objectives of the course are:

1. To introduce students to a community based and social justice law practice, and
2. To enhance the development of professional skills and professional responsibility by each student, and
3. To develop the students' understanding of the legal system in general, and
4. To provide students with an opportunity to participate in public legal education.

## **Materials**

There are no materials that must be purchased for this course. However, students are expected to be familiar with the LSLAP Manual, available in print at the office, and online at [Islap.bc.ca](http://Islap.bc.ca). When doing research on a file, students should also refer to the forms and articles section of the LSLAP website. See an Executive member if you need information about how to log into the web page.

## **Requirements**

### **1. Robson Square Provincial Court Small Claims Clinic:**

Students are expected to spend time working at the Robson Square Small Claims Clinic, where they will assist clients with procedural matters and forms. This clinic does not generally give rise to ongoing file work as it is primarily for assisting with summary procedural advice.

The student will be required to attend this clinic on average once per month, or as otherwise determined by the Operations Director. If a

student is not able to attend a clinic, it is his/her obligation to notify the Operations Director as soon as possible, and arrange for a day to make up that clinic. **Note: No legal advice is provided to clients at this clinic.**

## 2. The Weekly Log/journal:

Each student must keep a weekly log of his/her activities. This log should be a record of:

- a. Instructions received from your principal and/or supervising lawyer
- b. Activities undertaken by the student
- c. Interesting issues of law, fact, professional responsibility or ethical issues encountered, and
- d. Time spent

The log is intended to be used as an instrument to encourage each student to be reflective about his/her experience and to be able to identify and evaluate both positive and negative aspects of your experience. Some of the information in the log will obviously need to be treated in confidence and is subject to all of the rules surrounding solicitor-client privilege.

## 3. Bi-Monthly Seminars:

During the term students will attend and participate in a series of seminars dealing with file management, stress management, time management, and various legal issues. These seminars will be arranged according to the students' schedules at the first meeting.

The students will be able to discuss and receive feedback on file work from both their peers and the supervising lawyers. During these meetings students discuss the legal, ethical, policy and procedural issues, which have arisen in their cases. While structured, the meeting is conducted in an informal atmosphere.

Each term a member of the local Provincial Court Bench and/or senior member of the Bar will meet with students to discuss concerns of the Bench & Bar, talk about effective advocacy and respond to student questions. **Please note seminar participation is an important component of this course. Attendance is Mandatory.**

## 4. Court Attendance, File Management & File Work:

LSLAP is a non-profit legal clinic, and for the duration of the course, students will be considered to be part of a law firm. As such, students should consider themselves bound by the Law Society of BC's Code of Professional Conduct, including the duty to hold in strict confidence all information concerning the affairs of clients acquired in the course of the professional relationship.

It is expected that students will take their obligations to both LSLAP and their clients seriously, work diligently and conscientiously on their files and be available for any scheduled appointments and court hearings. Some files may not conclude by the end of the course and students are responsible to transfer all continuing files in accordance with the LSLAP file transfer policy; which includes preparing a detailed transfer memo for the next student.

## **5. Term Paper or Community Group Presentation:**

Students will be required to complete *either* a 2000 word Term Paper or prepare a Community Presentation.

For the Term Paper, students can choose to cover either:

- (1) A research topic related to the students' experience at LSLAP and include a self-reflective component about their experiential learning process; or
- (2) A paper written and composed based on independent research relating to a legal issue common throughout LSLAP files. It is expected that this paper will become part of the LSLAP precedent materials. For students who choose this type of research paper on a legal issue, the research forming the basis of the paper will be presented to the group during the final seminar.

Please note that the final word count should be included on the front page of your paper. Please ensure that you provide full and properly formatted footnotes upon final submission.

For the Community Presentation, students can choose a topic that is common to LSLAP files and clients and create a presentation to be presented to a community group who often deals with that issue. The details of these community presentations can be discussed and coordinated with the Instructor based on the current needs of LSLAP clients and must be presented to the community group before the end of the term. The topic and community group will need to be determined by the end of the first semester (December) in order to arrange the presentation in the second semester. Students will be responsible for creating and presenting the content of the presentation, but the Instructor will assist in connecting the students with the appropriate community group.

## **Evaluation**

The course is graded on a pass/fail basis. Ideally, evaluation is intended to constructively advise the student of his/her strengths and/or weaknesses with the aim of positively encouraging improvement and the continuing development of "lawyering" knowledge and skills. The practical component is based on an evaluation of each student's practice achievements during the term. The academic component will be based on weekly logs and attendance and participation in all seminars.

In order to receive a passing grade each student must:

1. Complete **0.5**-credit work by attending all Robson Square clinics assigned by the Operations Director.
2. Complete **1.5**-credits work by attending all Seminars and completing the Weekly Log/Journal and submitting the Final Term Paper or completing the Community Presentation.
3. Complete **4.0**-credits of file work on major files:
  - **Major files worth one (1) credit may consist of:**
    - a) Full trials (or full trial preparation) in provincial court
    - b) Oral and/or written submissions to a tribunal
    - c) Immigration application
  - **Major files worth one half (1/2) credit may consist of:**
    - d) Sentencing or Peace Bond Submissions
    - e) Small Claims applications
    - f) Other Criminal/Civil applications as may be determined in consultation with the supervising lawyer

Students may also work on templates, other training materials and/or perform file work for up to one (1.0) credit. The exact credit amount will be determined in consultation with the supervising lawyer.

**NOTE: Students are required to seek credit from both practice areas: this means students must complete at least one civil file and at least one criminal file.**