

CALIcon 2016 Atlanta, Georgia

Saturday, June 18, 2016 10:30 am Room 241



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CALIcon Conference for Law School Computing®

CALIcon 16

THE **Y**EAR OF **L**EARNING **D**ANGEROUSLY

June 16-18
Georgia State University
College of Law
Atlanta, GA

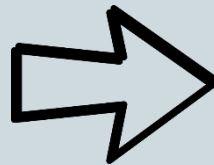
<http://2016.calicon.org>

Featured Presentation: Voted Number 2



- Session title: *Combining Legal Research Pedagogy, Pro Bono and Experiential Learning in the First Year Curriculum at the University of Tennessee*
- **Kris Anne Tobin**, Assistant Professor and Reference Librarian @ University of Tennessee College of Law
- **R Brad Morgan**, Interim Director, Bettye B. Lewis Career Center, Associate Director, Institute for Professional Leadership Development

Legal Research Skills to Actual Client Application in the 1L Year



Presentation Path



Chopping Ice



Project Overview



Project Overview



- In our 1L two-semester legal research course we incorporate an experiential learning component designed to instill an early appreciation of the importance of pro bono service to the legal profession.
- Partnering with pro bono non-profit legal aid organizations, we designed a 1L legal research second semester project tasking student “law firms” with researching real day to day legal issues, drafting an objective written file memorandum describing their research findings and orally presenting their written research findings to their respective pro bono client attorneys.
- Legal service entities provide discrete topics of legal need; students research those topics; then draft memoranda addressing the legal issues; the legal service entities provide further direction and commentary on the legal memoranda; law librarian faculty review the legal memoranda; and the legal service providers ultimately obtain quality work product that fills a need in their organizations.
- The primary goal of our session today is to help other law schools replicate or create hybrid programs similar to ours that will seamlessly fit with their respective curriculums. We will share the history and evolution of the project, cover the intricacies of working with Pro Bono partners from finding suitable partners to vetting their legal issues to certifying complete coverage of the legal research pedagogy introduced in the first semester of law school.

Legal Process at Rocky Top



Legal Process Particulars



- Two semesters
 - Fall of the 1L year:
 - ✦ Legal Process I – 2 credits graded (Legal Writing taught by combined law faculty and adjuncts)
 - ✦ Legal Research I – 1 credit pass/incomplete/fail – w final exam (60 percent required on final to pass LR I)
 - Spring of the 1L year:
 - ✦ Legal Process II – 2 credits graded (Legal Writing taught by combined law faculty and adjuncts)
 - ✦ Legal Research II – 1 credit pass/incomplete/fail
 - Pro Bono Project major component

Partnerships

Kris is Starsky and Brad is Hutch



Evolution of Our Partners



CLO

THE KNOX COUNTY PUBLIC DEFENDER'S
COMMUNITY LAW OFFICE

ciation

CE
ES

Partner Champion



- <http://wuot.org/term/knox-county-public-defenders-office>
- <http://www.pdknox.org/>

Mickey Mouse Project



Law Students

Program

Community Partner

Launching Project In Spring



Pro Bono, Public Service and Public Interest Work



**“My last celebrity case involved
Sonny and Cher. I did the work
pro Bono.”**

What is Pro Bono?



- *Pro Bono Publico*
- *Pro bono* service, unlike traditional volunteerism, uses the specific skills of professionals to provide services to those who are unable to afford them.

What is Pro Bono? (Con't)



VS.



ABA Model Rules



- **Rule 6.1 Voluntary Pro Bono Publico Service**
- Every lawyer has a professional responsibility to provide legal services to those unable to pay. A lawyer should aspire to render at least (50) hours of pro bono publico legal services per year. In fulfilling this responsibility, the lawyer should:
- All 50 States Have Adopted Some Version of MRPC 6.1

Tennessee Supreme Court ATJ



#1 Strategic Priority. The commitment of the Tennessee Supreme Court to access to justice is truly unprecedented. All five members of the Court share this commitment to promote greater and more meaningful access to justice in Tennessee. In fact, the Tennessee Supreme Court declared in August 2008 that access to justice was its number one strategic priority.

Student Reactions to Project Kick Off



- “You mean this isn’t a hypothetical? This is real?”



History of Project



Service Learning to Experiential Learning





Standard 303. CURRICULUM.

(b) A law school shall provide **substantial opportunities** to students for: (1) law clinics or field placement(s); and (2) **student participation in pro bono legal services, including law-related public service activities.**

Progress from 2012 to 2016



- Spring 2012—Inaugural Year
- Spring 2013—Project applied to entire class
- Spring 2014 Rocky-not-so-Top Year 
- Spring 2015—We Hit Our Stride
- Spring 2016—Community Law Office Win-Win 



Project Semester Sequence



- Setting up the student “Law Firms”
- Assigning Client Issues—minimum of 2 groups per issue
- Legal Research Plan Assignment
- LR Profs meet with student “Law Firms”
- Students prepare first draft legal memoranda for service providers
- Legal service provider attorneys review memoranda
- In class feedback with legal service provider attorneys
- After the class feedback—Revise legal memoranda – email digital copy to professors – compile and forward to partner

Past Issues Covered



- Pro Se Divorce—substantive and procedural law
- Expungement: availability, offense eligibility, and procedure
- Landlord/Tenant—rights and responsibilities

Bridge over Troubled Waters



- Handbooks – our difficult year!
 - Domestic Violence for Knoxville Bar Association
 - Landlord/Tenant for Legal Aid East Tennessee
 - Defendant and Family Handbook for Community Law Office
 - ✦ “Wow...and you’re thanking us! Thank you and thank the students for this wonderful piece of work. Obviously you now realize that while we have wanted/hoped that we could put this together over the last 25 years, it’s just too massive an undertaking for us—with full caseloads—thank you both very much.—Mark”

CLO 2015 Issues



- Inmate lack of access to pencil, paper, books, and razors for shaving
- Right to Recreational time out of the cell
- Right to access law library for participating in own defense
- Right to phone access for participating in own defense
- Visitation by Skype in lieu of in person visitation
- Rights regarding attending religious services
- Checklist for getting off the Sex Offender Registry

CLO 2016 Issues



- Issues relating to the Tennessee Gang Enhancement Statute
- Conflict of interest issues relating to DUI Grants
- Hearsay in Domestic Violence cases
- Restitution and Costs Issues
- Juvenile Detention Issues
- Reasonableness as a Jury Standard
- Issues using social media (Craigslist) to solicit prostitution clients

Legal Research Pedagogy



- First semester coordinated legal research coverage
- Sections are split between three professors we cover in order:
 - Legal authority
 - Basic research concepts
 - Basic secondary authorities
 - The basics of statutory law
 - Researching case law—two parts
 - Legislative research
 - Searching basics on Bloomberg, Lexis, and Westlaw

Annual Planning and Preparation Timeline



- July: Meet with Mark and Laura at CLO
- August: Receive list of suggested research topics from CLO
- September thru October: Pre-research each issue to be sure that LR I resources covered in each issue
- November: Draft timeline for project due dates
- December: Finalize “Kickoff” date and Project Packets
- January: Kickoff presentation

Connecting the Dots Story



Tennessee Law, Spring 2016



- Connecting the Dots
- Posted March 21, 2016 @
- <http://law.utk.edu/2016/03/21/connecting-the-dots/>
- by [Whitney Heins](#)
- *Originally published in* [Tennessee Law, Spring 2016](#)

QUEST - “a journey directed by a noble purpose”



- On Monday, June 13 (lucky number) our work was featured in **Quest**
- <http://quest.utk.edu/about/>
- Feature article at: <http://quest.utk.edu/>
- You **our audience** is on this journey with us – please reach out if you’d like assistance creating a similar project:
- Kris Anne Tobin: ktobin3@utk.edu
- Brad Morgan: rmorgan2@utk.edu

Shameless Plug



- Institute of Law Teaching and Learning publishing *Experiential Education in the Law School Curriculum* with Carolina Academic Press
- Chapter 16 features our work in more detail
- Book edited by Emily Grant, Sandra Simpson, and Kelly Terry ILTL co-directors
- Publishing date late 2016 (December)

Q & A

