

Widener University Delaware Law School

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Service Learning and Legal Education: A Sense of Duty

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SERVICE LEARNING AND LEGAL EDUCATION: A SENSE OF DUTY

Clinical programs,
internships and externships
provide Widener Law
students with numerous
opportunities to practice
community-based law.

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[Service learning is not a new idea](#) in legal education. Since the early 1900s, U.S. law schools have sponsored clinical programs that reach out to the greater community to provide desperately needed legal assistance to the poor and the homeless. Law schools were in the forefront of the search for social justice through law in the 1960s and 1970s. From the outset, law school clinics were designed to teach law students how to practice law effectively and compassionately, never forgetting that the primary mission of the legal system is to seek justice for all men and women regardless of race, creed, color, nationality or economic status.

This service learning tradition led Widener University School of Law to start its first clinical program in 1984. Dean Anthony Santoro and Delaware State Bar Association President Susan Del Pesco '75 were moved by the need for additional pro bono legal assistance in Delaware, since existing, over-stressed organizations such as Community Legal Aid and the Legal Services Corporation were having trouble meeting community needs. The law school hired John C. Landis as clinical director and opened the doors of the Delaware Civil Clinic (DCC) in September 1984. DCC law students worked with pro bono Delaware lawyer volunteers such as the late Louis Redding, Esq., serving those who would otherwise have no access to justice.

Delaware Volunteer Legal Services, Inc. (DVLS), the pro bono arm of the Delaware State Bar Association, and the law school joined forces in 1985 to expand pro bono legal services to Delaware residents. In 1997 the school became the hub of Delaware's civil legal services with the creation of the Legal Help Link (LHL), after the Delaware Supreme Court asked Widener Law and all legal aid organizations to develop a system to coordinate the activities of the First State's four pro bono legal service providers: DVLS, Community Legal Aid Society, Legal Services Corporation of Delaware and the Delaware Civil Clinic. LHL is a one-stop centralized intake system that enables a needy person to make one call to determine eligibility for pro bono services from one of the four Delaware legal services organizations. Delaware Civil Clinic interns help answer and screen LHL calls to determine if prospective clients need representation and where they



can best get help. The interns ensure that eligible callers are transferred to the appropriate organization. If the caller is financially ineligible, or the caller's problem is not handled by any of the legal organizations, LHL staff will complete a lawyer referral form for the Delaware State Bar Association.

The Law School added a second clinic for Delaware County, PA, residents in September 1985, designed to represent poor people in civil and domestic relations matters in the Court of Common Pleas. Professor Francis Catania was the first director of the Pennsylvania Civil Clinic (PCC); Professor Nathaniel C. Nichols joined the faculty the next year to open a bankruptcy division in the PCC for those on public assistance who were being hounded by creditors. Professor David Hodas launched the Environmental Law Clinic in 1989 to act as a "private attorney general" to enforce Clean Water Act and Clear Air Act standards in Delaware and Southeastern Pennsylvania.

Professor J. Palmer Lockard started a second Pennsylvania Civil Clinic at the Law School's Harrisburg campus in 1991. This branch of the PCC represents poor persons in landlord-tenant disputes, in domestic relations matters and in consumer credit issues. In 1994, Professor

Judith Ritter became the first director of the Pennsylvania Criminal Defense Clinic, training students to prepare and try misdemeanor cases in Chester County. In 1997, Professor Tom Reed started a pro bono program to assist disabled veterans with VA compensation cases in conjunction with DVLS, which became a Law School clinic in 2006.

The Law School operated seven in-house clinics and four externship programs in 2007-08, designed to meet service learning goals and to afford each law student the opportunity for hands-on practical experience under the watchful eyes of experienced practitioners and judges.

Extern placements with area judges and nonprofit agencies are another service learning pathway that integrates dozens of law students into real-world skills training and useful service to the greater Delaware, New Jersey and Pennsylvania communities. Externship students choose from more than 70 different placements with county prosecutors, public defenders, legal services, the federal government, state legal and county law departments, general counsel offices for private corporations and numerous public-interest law offices. Externs work under the supervision of practicing lawyers, drafting documents, appearing before state courts and learning, first-hand, the essential tools they



STUDENT SERVICE

Widener Law faculty are joined in their commitment to service by our students, who contribute to their communities in countless ways:

- More than 60 graduates of the Class of 2008 earned Pro Bono Service Recognition for having performed at least 60 hours of pro bono service (30 hours for master of laws students) after their first year of law school.
- In the spring of 2008 alone, Delaware students, working through the Widener Law Public Interest Resource Center, volunteered 1,455 hours to a broad range of organizations and initiatives, including the Wilmington Hospital Women's Clinic, Legal Help Link, Habitat for Humanity, the Volunteer Income Tax Assistance Program, the Pardons Project, Delaware Volunteer Legal Services, the Martin Luther King Semester of Service and Philadelphia Clean-Up Day.
- Widener Harrisburg students likewise organized and participated in a number of service initiatives, including Phi Alpha Delta's food drive to benefit the Central Pennsylvania Food Bank, the Federalist Society's holiday collection for troops, the Black Student BLSA/MLSA blood drive, the SBA/YWCA Charity Child Ornament Tree, the Volunteer Income Tax Assistance Program and the Environmental Law & Policy Society's Litter Cleanup.

will need to become great lawyers. Externship students experience the synergism that occurs when what is learned in the classroom is applied in the practice of law.

Andrei Govorov '08 is an example of this synergism in action. Mr. Govorov was a clinical extern in a county district attorney's office, who took trial advocacy and the externship in the same semester. His trial advocacy professor, a former prosecutor, explained the problem he once faced when attempting to link a defendant to the hit-and-run of a pedestrian who had been rendered a paraplegic. He was able to link the defendant to the crime by using the hood ornament left at the scene, which matched the one that had been on the defendant's vehicle.

Clinical interns and externs master the fundamental lawyering skills spelled out in the 1992 ABA MacCrate Commission Report: problem solving, factual investigation, counseling, negotiation, litigation and alternative dispute resolution, organization and management of legal work, and recognizing and resolving ethical dilemmas.

Widener's clinical programs have achieved some notable successes. The Veterans Law Clinic assists disabled veterans and dependents with VA compensation cases. In 2006, Professor Reed took the case of Reginald Tyler, a Delaware Army National Guard sergeant who discovered he had stomach cancer when his unit was called up for service as part of Operation Enduring Freedom in 2003. Army surgeons removed about half of Tyler's stomach, leaving him with many residuals, the worst being "dumping syndrome." The Army found Sgt. Tyler unfit for further duty due to his cancer, but awarded him no disability. After the *Wilmington News-Journal* spotlighted Sgt. Tyler's unfair treatment by the Army, U.S. Senator Joseph Biden's caseworker, Brian Cunningham '02, put him in touch with Professor Reed and his interns. The Veterans Law Clinic took the case before the Army Board for Correction of Military Records. Professor Reed was able to get a prominent New York physician to review Sgt. Tyler's claim file and write a medical opinion letter demonstrating that he was 40% disabled due to residuals of his stomach surgery. The Army changed its mind and awarded the sergeant disability retirement benefits.

The Law School's clinical programs engage with some of the most challenging legal problems in our society. Delaware Civil Clinic students fight a daily battle to

eradicate violence against women in our society. Pennsylvania Criminal Law interns ensure that those accused of crimes are treated fairly by our system of justice and receive the much-needed representation they deserve. Veterans Law interns protect the rights of veterans. Harrisburg Pennsylvania Civil Clinic students save many individuals from homelessness, while Environmental Law interns work diligently in the courts and our communities to clean up our environment.

Widener Law School clinical students handled 212 cases in academic year 2007-2008, representing more than 10,858 hours pro bono time. Law School clinical students gave legal services worth more than \$1,350,000 to needy individuals in Delaware, Pennsylvania, New Jersey, Maryland, Virginia, West Virginia and the District of Columbia. And law students assisted the Legal Help Link in responding to more than 4,500 individuals seeking legal assistance in the State of Delaware in calendar year 2007.

Widener University School of Law clinical students genuinely understand and embrace a sense of duty to give back to the community. Of our graduates' many accomplishments—success with important cases, recognition from their peers and other professional achievements—the one many suggest is the most gratifying is the work they conducted on their first cases as legal interns here at the law school. ■



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