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Mary E. Berkheiser
University of Nevada, Las Vegas -- William S. Boyd School of Law

Christine Smith

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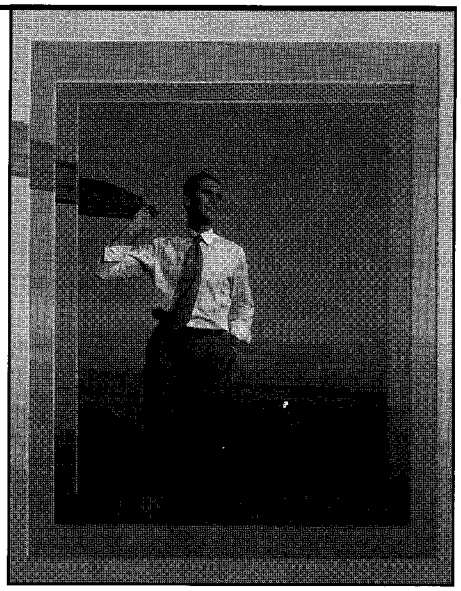

Pro Bono Service at the William S. Boyd School of Law

by Associate Dean Christine Smith and Associate Professor Mary E. Berkheiser

The mission of the William S. Boyd School of Law is to serve Nevada, and the legal and academic communities by developing and maintaining an innovative educational program that will train ethical and effective lawyers and leaders for Nevada and for the legal profession. To put the school's mission in motion, we have begun by stressing community service, professionalism and the roles, responsibilities, skills and values of lawyers, and by involving students and faculty in community service projects in ways that will benefit our state.

Partnership created/ mandatory community service

In keeping with that, we have developed a partnership with Clark County Legal Services and Nevada Legal Services, and have instituted a mandatory community service program for first-year students. The goals of the community service program are to expose the students to the workings of a public interest law office or public agency, encourage in the students the habit of *pro bono* service, and to show them the need for legal services that exists in our community. Notwithstanding popular myths about the glut of lawyers in our society, there is a tremendous need for legal services among the poor and the middle class. Practicing lawyers are not meeting these needs, and we hope that our graduates will close the gap — through *pro bono* service, or careers in public service or public interest law.

All first-year students must participate in the community service program. The program is not credit bearing but is required for graduation. The full-time students participate in the program during the spring semester of their first year, while the part-time students participate in the program during the summer session and fall semester that concludes their first year. Each student will devote approximately 40 hours to community service under the supervision of a faculty coordinator in one of three settings — small claims, housing or family court.

Teamwork

The students are organized into teams, each of which is responsible, under faculty supervision, for developing sound educational classes for laypersons. The classes are presented at Clark County Legal Services, the Family Court, local community centers and the Alternative Sentencing Center. The classes provide information that is useful to *pro se* litigants, but students do not give legal advice. The program currently offers to the public 15 classes each week during the day and evening.

The students are excited about this program. Wade Kelson, president of the Student Bar Association, commented, "This community service work actually gives us an opportunity to take what we are learning in the classroom and apply it." Other students agree and appreciate the importance of making the system accessible to those who need legal assistance. Nadia Akahavan told us, "The public doesn't have access to free legal information and we can give this information to people in the community who need the information." Martin Melendrez elaborated further, "An important aspect of this program is accessibility. Many times a member of the community may not know where to go for free legal information; we will make this information readily available to those in the community who need help." Billie-Marie El-Sargi observed that participation in this program will give the students good hands-on experience.

Leah Kane, supervising attorney for the program from Clark County Legal Ser-

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vices, and Cliff Marcek, supervising attorney for the program from the Boyd School of Law, comment that the program benefits both the unrepresented litigants and the law students. Although the classes always encourage litigants to obtain legal information and advice, most individuals who enroll in the classes either cannot afford to hire an attorney or have such a small case that it is not feasible for an attorney to undertake representation. Litigants often express gratitude that they have a forum in which to ask basic questions about the court system and get some specific questions about their case answered. The classes emphasize not only basic law and procedure, but also simple things such as how to address the court and how to effectively present an argument to a judge. Likewise, first year law students are able to move outside of the classroom and textbook to hear real-world problems. The student teams often engage in lively and productive discussions about the problems presented in class, and build upon each other's ideas and analyses. Students also obtain an understanding of how the court system works and the variety of unmet legal needs in the community.

Beyond the first year

Beyond the first year, we plan to build on and expand our community service partnership with legal services organizations and the courts by creating a multidisciplinary legal clinic at the law school. Ultimately, the legal clinic will serve not only community needs, but educational and research activities of the school. Under the supervision of law professors or supervising attorneys, law students will provide free legal services to low-income people in the community. At full capacity, six professors and 48 students will staff the clinic each semester. If a multi-disciplinary clinic is feasible, the clinic also will be staffed by students in other schools of UNLV, for example, masters of social work students, who will be jointly supervised by appropriately trained or certified professionals in those fields.

The law school clinical program also can become a part of the local legal services network by representing clients that other offices cannot represent due to funding or resource constraints. We also envision that the clinical program will develop research and other legal resources to share with other legal services providers, provide legal assistance in areas not served by the existing legal services network, represent community groups, and engage in discussion with other legal services providers about developing and maximizing legal services in currently unmet areas. Most importantly perhaps, the clinic can encourage and nurture students' interest in utilizing their professional skills and degrees toward community service.

Doing what lawyers do

The clinical program has many educational goals. We not only want to teach students to be skilled, reflective and highly ethical practitioners, but also to help them explore the role of law in people's lives and their professional role in maintaining or reforming the justice system. In a law school clinic, students begin to learn how to effectively represent people who have inadequate access to justice and legal assistance. Clinic students gain hands-on experience by doing what lawyers do — interviewing and counseling clients, conducting fact investigation, developing legal theories and arguments based on the application of the law to the facts, writing legal memoranda and briefs, and putting on their cases at trial or in administrative hearings. Some students may even get the experience of arguing an appeal before the Nevada Supreme Court.

Throughout the students' work, experienced lawyers and clinical law professors provide close supervision and guidance as needed. However, in the law school clinic setting, the student is the client's primary lawyer. As such, the student bears the responsibility to represent the client fully, competently and in keeping with the rules of professional conduct. Student lawyers in a law school clinic quickly come to appreciate the awesome responsibility they have, and it forever changes them.

The Boyd School of Law has set these programmatic goals with the Long-Range Plan of the ABA Section of Legal Education and Admissions to the Bar in mind. One of the section's objectives is "Objective 2.1: To increase the role of the Section in setting priorities, pursuing initiatives, and communicating the changing needs and responsibilities of law schools, students, high courts, bar examiners, and the lawyers of the future." To meet this objective, the ABA is strongly encouraging *pro bono* service during law school. Law schools can and should take an active role in providing legal information and representation to low-income persons. As educators of our community's future leaders, we have an obligation to make our students aware of their responsibilities to serve people who have limited resources and little access to justice.

With the community service program, we have taken the first steps toward meeting that obligation. As we further develop and build on this year's program and go forward with our legal clinic, we hope to move our students beyond awareness of the legal needs of low-income people to a commitment to *pro bono* service as students, and, even more importantly, as members of the Nevada Bar. **NL**

Christine Smith *is the associate dean of Academic and Student Affairs for the William S. Boyd School of Law.* ***Mary E. Berkheiser*** *is an associate professor at the law school, where she teaches Lawyering Process, Civil Procedure and Alternative Dispute Resolution.*

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