

Clinic General Operations and Procedures

Clinical Programs Administration and Staff:

Louis Rulli, Director of Clinical Programs

Valerie Rose, Clinic Administrator

John Kuehne, Administrative Assistant

Ann Stock, Client Coordinator

CIVIL PRACTICE CLINIC

Faculty:

Louis Rulli

Yolanda Vazquez

ENTREPRENEURSHIP LEGAL CLINIC

Faculty:

Rebecca Clayton

Praveen Kosuri

TRANSNATIONAL LEGAL CLINIC

Faculty:

Sarah Paoletti

Philippe Weisz

**PLEASE READ THIS BOOKLET IN FULL AT THE COMMENCEMENT OF THE COURSE AND
RETAIN IT FOR FREQUENT REFERENCE DURING THE SEMESTER.**

**IF YOU WOULD LIKE A PRINTED PAPER VERSION OF THIS MANUAL PLEASE ASK A
MEMBER OF THE CLINIC STAFF AND ONE WILL BE PROVIDED FOR YOU.**

TABLE OF CONTENTS

	<u>PAGE</u>
Clinic Offices.....	3
Case Assignments.....	3
Confidentiality.....	3
Supervisor Review of Student Work.....	3
Case Management.....	4
Legal Advice to Non-Clients.....	4
Clinic Email and Computer Access.....	5
Clinic Computers.....	5
Word Processing Instructions.....	6
Mail, Messages, & Notices for Students.....	6
Handling Clinic Mail.....	7
Daily Sign-In Logs.....	7
Duplicating.....	7
Office Calendar (<i>not applicable to ELC</i>).....	7
Room Reservation Calendar.....	7
Fax.....	7
Office Telephone Numbers.....	8
Long Distance Calls.....	8
Dating Documents.....	8
Shredder.....	8
Work-Study Student Assistance for All Clinics.....	8
Reimbursement to Students For Transportation Costs.....	9

CLINIC OFFICES

The Clinic offices are located in the ground level of Silverman Hall in The Law School. The Clinic has newly renovated and expanded space which we hope will greatly enhance your ability to be productive on behalf of your clients. Some of the room numbers and locations of certain items may not be named because they were not decided upon at the time of writing this manual. The main reception desk faces the Sansom Street entrance. Please sign in and out at the Receptionist's desk for office security reasons and to facilitate answering of client telephone calls by the Support Staff (if the Support Staff is under the impression you are not here because you have not signed in, they will take a message rather than intercom you in the student room and you may miss important phone calls).

One of the student work rooms is designated as a "Quiet Room". There is no telephone in this room – and please do not use your cell phones in here. This room is for students who wish to work on their laptops or do other work without the interruptions of telephones or conversations.

CASE ASSIGNMENTS

Case assignments of prospective or existing clients will be made during the second week of the semester and periodically throughout the semester. **Your responsibility for your cases extends through the examination period at the end of the semester.** Cases may be assigned at any time during the semester. You should call the prospective client and arrange for an initial interview to take place as soon as possible, generally within one week after the date of the case assignment. Please note that the circumstances of a case may require an interview sooner than one week. If the initial interview cannot be held within one week of the assignment, the student must notify his/her Supervisor.

Case assignments of existing clients may or may not require immediate meetings with clients. You should review such files, meet promptly with your Supervisor to plan a course of action, and make arrangements to introduce yourself to the client in writing or by telephone. It is important to remember that your client may not speak English fluently and an interpreter or translator may be required when calling and/or writing. Language line is available if needed for scheduling your appointments and the clinic has resources for interpretation and translation. See your Supervisor for more information on these resources.

CONFIDENTIALITY

The confidentiality of attorney-client communications must be carefully protected. As is the case in other law practice settings, however, we will discuss cases in class and you may discuss your cases with your student colleagues while you are at the Clinic. **Outside of those settings, you must take the utmost care to preserve confidentiality.** Please familiarize yourself fully with Rule 1.6 of the Pennsylvania Rules of Professional Conduct.

SUPERVISOR REVIEW OF STUDENT WORK

Your Supervisor must review, approve and indicate approval by initialing all written work (including e-mail correspondence) before it may leave the office or be printed onto letterhead by the Support Staff. Do not give substantive legal advice to a client without first discussing this with your Supervisor. Where a client is advised orally, the advice must be confirmed in a letter reviewed by your Supervisor.

Place work to be approved and formatted in your Supervisor's mail box (you may email work to your Supervisor for review if your Supervisor gives you permission to do so). Letters or drafts

should be given first to your Supervisor for review and approval -- his/her initials must appear on everything to be printed onto letterhead. Uninitialed work will be returned to Supervisor for initialing. Make sure all work handed in to your Supervisor is dated and your name appears on all drafts. Once finalized, the Support Staff will save the document both into your clinstu folder and the case folder.

Your Supervisor will note the date on which work is submitted. In general, it will be done chronologically as received unless it is a "rush." "Rushes" should be clearly marked as such with the deadline clearly noted, and the reason for the "rush" should be stated.

Your name and a document path locator and file name must appear on all work.

CASE MANAGEMENT

The Clinic's case management system (CMS) is available through an icon on all desktops. Students logon with their usual Law School User Id. and Password. Students are able to view and amend all areas of the CMS. The system is in three sections:

1. Case Information. Initial information for each case is entered when a case file is opened. If all relevant information is not available at that time (e.g. names of opposing parties, opposing counsel etc.) **it is the student's responsibility to either enter that information into the CMS themselves, or give the information to the Support Staff and ask him/her to update it.** The system will be checked on a monthly basis and a report given to all Supervisors on information available in each case.

2. Conflict of Interest. All open cases have been entered into the case management system and can be checked for a conflict of interest **across all clinics. It is the student's responsibility to check for conflicts whenever any new information arises in a case.**

3. Profiles. This section is entered by students themselves (click on "Update your Profile"). This information should be entered **by 10:00 a.m. on the second Friday of each semester.** Once entered, this data is viewable only by faculty and staff. This data is also included in conflict checks across all clinics. If a conflict check shows the name of a member of the faculty, staff or students, you will not be able to view any further information on that person but should speak to your Faculty Supervisor who will view this information and decide if there is a need for any further action. If you have any questions about how to complete this section please speak with a member of staff or your Faculty Supervisor.

It is important to note that, even if a potential "conflict" is identified via our procedure, it does not necessarily follow that we must decline or withdraw from the client's case. Each student and Supervisor must make such determination on a case-by-case basis.

LEGAL ADVICE TO NON-CLIENTS

Occasionally students are presented with questions or informal requests for advice by persons who are not clients of the Clinic. In such situations that person should simply be referred to the Clinic for potential representation. Such casual advice, however well-intentioned, can lead to malpractice exposure or violation of professional responsibility obligations.

CLINIC EMAIL AND COMPUTER ACCESS

All clinic students will receive an email from ITS by the end of the first week of each semester giving you your clinic username as well as information on access to your clinic email account and access to the clinic computers. The user name that ITS assigns you is also your login name for access to the clinic computers. (Note: you will not need to include “@law.upenn.edu” to log in.) You will be given access to the computer files **for your clinic only**.

For your clinic email and login name, your username begins with your clinic, e.g., cpc.smithz@law.upenn.edu, elc.smithz@law.upenn.edu, etc. You must **always** use this email account for any email contact with clients, opposing parties, attorneys or anyone else involved in any of your clinic cases.

Your Faculty Supervisor has the ability to view copies of all incoming and outgoing emails but they do not often do so. Therefore, if you feel that your Supervisor should be copied on an important email, you must “cc” him or her. You still have the responsibility to have your Faculty Supervisor review email correspondence before it is sent and to ensure that email correspondence is properly documented and filed.

CLINIC COMPUTERS

Clinic Network. The Clinic is part of the main Law School network, but you can only access Clinic files from the Clinic office. There are computers available for all students to use in the student workspaces. All computers are linked to the University Penn Net system so that you can access LOLA, LEXIS, and WESTLAW. Please do not tie up a computer for great lengths of time unless truly necessary. At times, demand may exceed availability.

Because of the need for attorney/client confidentiality, access to any clinical program directories or files are only available within the Clinic offices. You cannot access the Clinic network from the library, a journal office or anywhere else in the law school except in the Clinic.

- I. Instructions on how to use the computer network:
 - A. All student room computers are set to open at the Clinic level.
 - B. At the start of each semester, a directory will be created under each student's last name. **All work must be saved to clinic\clinstu\[YOUR LAST NAME,FIRST NAME]\document name.**
 - C. In addition to your student directory, the network only allows you to "view" the case files for your particular clinic. You do not have access to input or change those files directly. **These files are found in clinic\clincpc, clinic\clinec, and clinic\tlc.** If you wish to use any material from these case files you must copy it over to your student directory. All student work is done via the student directory.
 - D. Clinstu - Since the student files are removed to a closed file folder at the end of each semester, it is **essential** that the final version of each document be saved by Support Staff to the appropriate (permanent) Clinic case file. Instructions for facilitating that procedure follow below.

Create a directory for each of your cases. (See Support Staff if you need instruction on how to do this.) Save your completed work to the student directory, **If you are not sure how to save a document, please see one of the Support Staff.** Always save and replace **any** changes made to documents in your student directory.

WORD PROCESSING INSTRUCTIONS

Print out a hard copy of your document for your Supervisor to review prior to final formatting and typing. **Identify and encode all work with the path and filename of the document.** For example, clinic\CLIN\CLASSES\Civil Practice Clinic\Fall 2008\MANUAL.doc. (See above for information on emailing documents to your Supervisor.) This may be accomplished easily in the following manner:

1. Once the document is completed, save it and give it an appropriate file name;
2. Prior to printing, go to the last page and skip a line after the last line of typing;
3. Go to **INSERT** position on the tool bar and activate;
4. Go to the **TEXT** section of the Ribbon
5. Select **QUICK PARTS** and the **FIELD**
6. In the white box scroll down to **FileName** and activate it
7. Under **Field Options** click on the box next to **Add path to filename**

If you do work on your home computer, you **MUST** transfer your work and save it into your Clinstu directory before you submit it to your Supervisor for review. If the Support Staff is given a hard-copy document for finalization and there is no copy in your Clinstu directory your work may not be able to be handled in a timely manner.

Correspondence and File Memos. When the printed draft is put in the typing bin after Supervisor review, a staff member will retrieve the document, make any changes that you and/or your Supervisor may have made and save it to the correct place in the case file directory. The final printed document is put in your student mailbox for careful proofreading and signing, and Support Staff will notify you via email that it is there waiting for your signature.

It is **your responsibility** to inform the Support Staff if a document is a final version so that it can be placed in the correct case file directory.

MAIL, MESSAGES AND NOTICES FOR STUDENTS

Phone Messages. All phone calls are answered by a member of the Support Staff. If you are in the office you will be “paged” in the student work room with the name of your caller and the phone line to pick up. If you are not in, a message will be taken and the message will be emailed to you with a copy to your Supervisor. You should attempt to return all phone calls within 24 hours. The “Frequently Called Numbers” sheet in the Status & Facts folder is used to create an Address list listing all current addresses and telephone numbers in each case file. Remember to update this list as needed. Please be sure to also give a copy of the updated list to support staff so that they may update the main clinic case file directory.

The dates and times on which you received and returned the client call should be noted in the case file status and facts folder.

Mail. In order to keep apprised of the developments in your cases, you **MUST** check your mail box daily or call in to the Clinic office if you will be off campus for several days (see Handling Clinic Mail, below). Mail should be reviewed with your Supervisor at the weekly counseling

meeting. Also, check your Clinic mailboxes for class notices. You should regularly clean out your mailbox. Do not use it for storage purposes.

Mail Messages and Notices for Students. Please check your **Law School student mail** folder regularly because, on occasion, Law School personnel may place client mail in student mail folders.

HANDLING CLINIC MAIL (*Mail procedures may vary by clinic. Please consult with your clinic manual*)

Outgoing Mail. Prior to signature, all typed work will be placed in your mailboxes and Support Staff will notify you that it is waiting for your signature. If the work is acceptable (after **carefully** proofreading it), sign it. **ALL MAIL IS TAKEN TO THE MAIL ROOM NO LATER THAN 3:45 P.M. EACH DAY (3:30 ON FRIDAYS).**

Incoming Mail. Incoming mail is sorted and date stamped by Support Staff. Then the original document is placed in your mailbox and a copy is given to your Supervisor. and reviewed by your Supervisor, it is put into your mailboxes by your Supervisor. After you have reviewed it and indicated which folder it should be filed in, place it in the filing tray (the bottom tray on the Reception desk) to be filed in the official case file. **DO NOT LEAVE MAIL SITTING IN YOUR MAILBOXES LONGER THAN OVERNIGHT.**

DAILY SIGN-IN LOGS

There is a daily sign-in/out log on the receptionist's desk which must be filled in upon entering and leaving the office. Remember to total your hours for the day in the appropriate column. You should also indicate the work performed via the codes indicated on that sheet.

DUPLICATING

Students may do their own duplicating; everyone will be shown how to operate the machine. No student should attempt to change paper or clear a paper jam -- ask a staff member to do this for you.

OFFICE CALENDAR (*Not applicable to ELC*)

Near the student work area is a monthly calendar. All court appearances (hearings, trials, conferences, time, place, etc.) **must** be noted on this calendar. This notation must include the location, time, place of the activity, and initials of the Supervisor and the student.

ROOM RESERVATION CALENDAR

Planned interviews or meetings with clients (or others for which you need a room) must be reserved via listing in the Appointment Book at the Reception desk. Because all clinics use these interviewing rooms (the Entrepreneurship Legal Clinic, Civil Practice Clinic, Transnational Legal Clinic and simulation course students) you **must** check the time and room availability **before** you can confirm the proposed time to the client. Be sure to confirm the date with your Supervisor as well, in case of conflicts with other Clinic activities. All interview rooms have video-recording capability so you should reserve these for meeting with clients that require video-recording.

FAX

Our office fax number is **215-573-6783**. The fax machine is located in the Copier/Supply Room. Blank fax Cover Sheet forms are put into each student's CLINSTU folder at the beginning of the

semester. You may send the fax yourself and make sure to put your initials at the bottom of the fax Cover Sheet where indicated. **It is very important that you wait for the Confirmation of Transmittal Form.** This sheet indicates the number of pages that were sent and if it went through o.k. This sheet should be stapled to the file copies of the document for filing. If you want a member of the Support Staff to send the fax for you, place it in the Outgoing Mail Bin and **please make sure that you tell them that there is a Fax for sending in the bin** (otherwise it may sit there until the outgoing mail is collected for the day).

OFFICE TELEPHONE NUMBERS

For all incoming calls for **CPC** and **TLC** the office telephone number is **215-898-8427**. For new prospective CPC clients, the Intake Line is **215-898-2772**. **ELC** uses **215-898-8044**. While there are other lines in the office, they are for outgoing calls only and may not be given out to anyone.

LONG DISTANCE CALLS

Enter all long distance calls in the Long Distance Call log located on the small bookcase in the student work room.

DATING DOCUMENTS

Date all pleadings, briefs, transactional documents and memos to file so that your successors will know when a document was written. Include month, day and year.

SHREDDER

There is a shredder in the Copier/ Supply Room. Please be sure to shred any confidential documents. **Please DO NOT shred more than 5 pages together at any one time.**

WORK-STUDY STUDENT ASSISTANCE FOR ALL CLINICS

The office employs a (non-law) work-study student to assist with general office work and to assist students with such things as filing pleadings, delivering documents, etc. S/he will also investigate facts, obtain court dockets and do other "legwork" to help you adequately represent your clients. To obtain the investigator's services, complete an "Investigator Request" form (blanks are placed in your clinstu file at the beginning of the semester). Provide FULL information -- names, addresses, captions, room numbers, etc. If there is a filing fee or other charge for the service to be rendered (copying fees, etc.), be sure to check with Support Staff on procedures for providing the investigator with the required fee. It is your responsibility (not the investigator's) to find out exactly where (Room #, etc.) a document is to be filed, the number of copies needed and any costs involved. This student will sit at the reception desk and will also serve as a back-up receptionist, answer phone calls and do other general office work when not on assignment.

If you have any questions about what the investigator can do, check with Support Staff or your Supervisor. Except in an emergency, your Supervisor should review all Investigator Request Forms. Place the form in the investigator's mailbox

Please note clearly the **absolute final** date by which you must have the request completed. (Since most requests are "A.S.A.P.", that notation is not sufficient; a **date** must be provided). Please give the investigator as much lead time as possible; his/her hours are limited.

REIMBURSEMENT TO STUDENTS FOR TRAVEL COSTS

Except in unusual circumstances: (a) public transit is the only approved method of transportation, and (b) travel from home to court or other case location will not be reimbursed. Support Staff will provide tokens for students who wish to take public transportation for case-related travel from or back to the Law School.

If public transportation is not available and it is necessary for a student to use a taxi or his/her own car in representing a client, your clinic will reimburse the student for fares, reasonable parking fees and/or for mileage (at the rate set by the University of Pennsylvania). However, reimbursements will be provided only if the student's Supervisor has approved the expenditure prior to the time of the expenditure, and only if the office reimbursement form (See Appendix) is completed and submitted to Valerie Rose.