

UNIVERSITY OF BALTIMORE SCHOOL OF LAW

VETERANS ADVOCACY CLINIC MANUAL

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CHAPTER 1

CLINICAL PROGRAM DESIGN

I. GOALS

The purpose of the University of Baltimore School of Law Veterans Advocacy Clinic is to educate you by providing legal services to veterans. Your Clinic experience goes beyond skills training by encouraging you to think critically about your role as an attorney and to strengthen your own commitment to public service and professional responsibility. The Veterans Advocacy Clinic has the following specific goals:

A. Clinical Legal Education

1. Client Relations and Legal Ethics – In a lawyer-client relationship, you will learn:
 - a. client interviewing and counseling skills and how to develop an approach to legal representation in collaboration with the client;
 - b. accountability to the client as ultimate decision-maker;
 - c. accountability to the Clinic as the means of ensuring competent representation of the client;
 - d. zealous representation, particularly in terms of initiative, thoroughness and creativity, in all areas of the practice of law; and
 - e. sensitivity to the full range of ethical issues that arise in practice.
2. Research and Analysis – The Clinic will teach you about fact investigation, issue identification, research and analysis, with attention to the economic, political, cultural and social contexts in which legal issues arise.
3. Case Development – The Clinic will challenge and support you with the responsibility for case development and management.
4. Oral and Written Communication Skills – You will develop oral advocacy skills through simulations, client interviewing and counseling, and appearances at hearings and other advocacy forums. The Clinic will also provide you with multiple opportunities to develop your writing skills by drafting research memos, case strategy memos, internal office memorandum, and briefs.

5. Personal and Professional Development – You will engage in self-critique and reflection about your performance in simulations and cases, as well as about your professional goals, career choices, academic priorities and personal and professional roles in the community.

B. Community Service Goals

The Veterans Advocacy Clinic aims to serve the legal needs of selected veterans and community-based organizations. On occasion, you might also perform research to increase the Clinic's readiness to perform future work, participate in legislative advocacy, or educate community groups about legal issues. **Students are encouraged to suggest ideas for possible community service projects.**

II. CLINIC CASES

You will likely handle a number of cases during the semester. The Veterans Advocacy Clinic selects cases for their educational and community service value. The Clinic will consider disability compensation appeals to the Court of Appeals for Veteran Claims, the Board of Veterans Appeals, and the Department of Veterans Affairs (VA) regional offices. The Clinic will also consider cases in other areas if they are of particular interest to Clinic students or faculty, such as:

- A. Discharge Upgrades before the Discharge Review Boards and Boards for Correction of Military Records
- B. Medical Evaluation Boards and Physical Evaluation Boards for Active Duty Members
- C. Pension Benefits
- D. Servicemembers Civil Relief Act (SCRA)
- E. Fully Developed Claims (Initial Claims)
- F. Traumatic Servicemembers' Group Life Insurance (TSGLI)
- G. Veterans Treatment Court

III. COLLABORATION AND RESPONSIBILITY

Collaboration is central in the Clinic and in practice generally. You will work with the faculty, other student attorneys, the administrative assistants, and the office manager, as well as with clients.

Whether solo or as part of a team, you are personally responsible for planning casework, including fact investigation, legal research, client counseling, recommendations on strategy, and preparation for, appearances at, and follow-up on hearings and negotiations. See MD Rules of Prof. Conduct 1.1, 1.3, 1.4. You are required to prepare planning documents, including agendas for weekly team meetings, which describe tasks and target dates, a detailed case plan, and outlines for legal writing projects, hearing preparations, and negotiation. Although the faculty supervisor is responsible for oversight of the planning process, you will be responsible for formulating and implementing the plan.

Direct contact with clients is delegated to you and other student attorneys to the maximum extent possible. The goal is for the client to view you as the attorney on the case, with the

knowledge that there is close faculty supervision. The faculty supervisor approves all letters, signs all documents, and attends all of your court appearances (see Chapter 2, Expectations for Student Attorney Practice).

IV. PRIMARY COMPONENTS OF COURSE

A. Team Meetings

You will meet at least weekly with the faculty supervisor and the other team members. **Please prepare the following prior to each team meeting:**

1. **Agenda/Task List and Production Report.** Electronic copy of your combined Agenda/Task List is due no later than two hours prior to team meetings. Electronic copies should be emailed to other team members and your supervisor. Production Reports (time sheets) should be emailed only to your supervisor. Production Reports should track you clinic time for the week prior, Sunday through Saturday. **You must bring copies of your Agenda/Task List to team meetings for your supervisor and team members.** See sample Agenda/Task List in Appendix 9. See Melanie Hanson for help with generating Production Reports from Corpus Lex.
2. **Updated Task List.** Based on your discussions in your team meeting, your task list should be updated within 24 hours of your team meeting and emailed to your supervisor and team members.
3. **Update Client Spreadsheet.** Due no later than two hours prior to team meeting. The Client Spreadsheet is located in the “Client Work” folder on the R: drive.
4. **Update Corpus Lex.** Due no later than two hours prior to team meeting.
5. **Update Client File Folders (paper file).** Due no later than two hours prior to team meeting.
6. **Update Claims Summary.** Due no later than two hours prior to team meeting. See sample Claims Summary in Appendix 10. The Claims Summary should be the first document in the “Memo to File” tab in your paper files and uploaded to Corpus Lex.
7. **Bring your Maryland Rules of Professional Conduct and client files** to team meetings.
8. **Bring your client’s hardcopy file (six-part folder) to team meetings. You do not need to bring supplemental medical records or the large claims files.**

General Guidelines for Team Meetings

You must each prepare a combined agenda/task list for the team meeting (sample in Appendix 9). Your team members will deliver copies of their agenda/task list to your mailboxes and you should bring these agendas/task lists to team meetings so you can intelligently discuss their cases. The purposes of the team meeting include:

- case planning, including a time and activity report on the past week’s activities and a work plan for the upcoming week;
- your evaluation of client relations, supervisor relations, team effectiveness and identification and discussion of ethical and professionalism issues;
- self-evaluation; and
- supervisor evaluation of your performance.

For your agenda, you and your team members need to identify the pressing issues in your cases/projects. We will decide at the beginning of each meeting how to allocate our time among these issues.

-Examples of good issues for your agenda: “client can’t be contacted” or “we need to figure out how to choose between two strategies we have developed” or “our research on this issues has stalled and we are not sure where to look.”

-Examples of bad issues: “talk about our case” or “what is the answer to [insert legal question here]?”

Updated Task List

Within 24 hours of the conclusion of the team meeting, you must update your task list setting forth your proposed case activities **and the dates by which you plan to complete such activities**. You must submit this list by email to your supervisor and team members within 24 hours of the team meeting. Samples of the combined agenda/task list are in Appendix 9.

B. Clinic Seminar

The seminar has three primary purposes: (1) to introduce you to the law and lawyering skills necessary to carry out your clinic assignments; (2) to serve as a laboratory in which you will develop your skills and test your knowledge; and (3) to promote development of case strategy and discussion of professional and ethical issues in Clinic cases. The beginning of each seminar typically functions as law firm case review meeting so you can benefit from the experience of other students’ casework.

To the extent possible, the seminars integrate seminar topics with what is actually occurring in cases. Seminar assignments require your active participation. For a seminar on case planning, for example, you will prepare a planning document for one of your own cases. In other seminars, you will perform in-class simulations.

The seminar will meet once a week on Wednesdays, from 1:30 – 4:20 p.m. in the Clinic Office of the Law School. Occasionally, classes may be held in other locations. If class will be held in a different location, the location will be listed on the Seminar Assignment.

C. Mock Hearing Sessions

You will be required to participate in a mock hearing skills sessions. These skills sessions are typically scheduled during the seminar meeting for the first half of the semester. The topics addressed by these simulations/experiential sessions will include opening and closing statements, direct examination, and brief writing. The problems are based upon cases you are handling in the Clinic and assume a hearing at the Board of Veterans Appeals. The simulations will culminate in a mock hearing before a guest judge.

D. Moots

As trials, hearings, negotiations and other events in cases approach, it is Clinic policy and

good attorney practice to conduct moots. A moot involves a simulated performance of the event in question. The scheduling of a moot is contingent on the specific time demands of a case. In addition to participating in a moot if you are the student attorney primarily responsible for the case, it is a critical part of your Clinic work to be involved in moots for your fellow student attorneys' cases. This participation might include acting as judge, opposing counsel, witness or general critique.

V. COURSE MATERIALS

There is one required text in addition to the Fall 2015 Veterans Advocacy Clinic Manual. Students must purchase The Clinic Seminar, by Epstein, Aiken, and Mlyniec (West Academic Publishing), which is available through the University of Baltimore bookstore.

Students are required to obtain the Maryland Lawyers' Rules of Professional Conduct (available on TWEN, but you may use any MRPC copy) and bring a copy to all seminars.

Additional readings will be assigned and made available on TWEN.

VI. TIME REQUIREMENTS

You are expected to commit an average of 20 hours per week to the Clinic during the semester. Depending upon case demands, the time required fluctuates throughout the semester.

You will provide schedules of when you will be at the Clinic and in class. The Clinic does not preclude other activities such as outside employment or journal participation. Time conflicts, however, are **unacceptable** reasons for failure to meet Clinic responsibilities or deadlines. You are responsible for anticipating time conflicts far enough in advance to avoid them. While work can be shifted to others if unusual circumstances arise, it is your responsibility to speak to your supervisor and team members if you feel this necessary. Sufficient lead time is essential.

VII. EVALUATION

A. Evaluation of Clinic Student Attorney Work

The faculty will evaluate your work by letter grade at the end of the semester. Evaluations take into account both your performance and your improvements in performance over the semester. Evaluations not only serve as a check that acceptable standards are met, but provide constructive feedback to aid you in developing professional skills. You will receive feedback in the following ways:

- * Team Meetings – These meetings provide an opportunity to discuss all aspects of your case planning and work. You must prepare a written agenda for these discussions.
- * Oral and Written Work – You will receive faculty comments on oral and written work, usually in writing. You are expected to revise your work in light of these comments.

- * Mid-Semester Evaluation – At mid-semester, you and the faculty will evaluate your progress and areas for improvement. In addition to receiving detailed written feedback on your performance, you will also have the opportunity to meet with your supervising attorney to discuss your performance. Of course, I am also available to meet at other times upon request.

In addition, a central goal of the Clinic is to promote your ability to self-critique. This process will help you learn from your experiences not only during your semester in the Clinic, but also after you graduate. To facilitate self-critiquing, you will prepare:

- * Critiques of performance at hearings
- * A mid-semester written self-evaluation
- * Critiques of performance in the Mock Hearing

B. Criteria for Mid-Semester Self-Evaluation and for Faculty Evaluation and Grading

As part of the mid-semester evaluation conference, you are required to write a detailed self-evaluation memorandum. The areas to be addressed in this memorandum are the same that I will use in evaluating your performance in the course.

In determining final grades and in evaluating performance, I review your work file, the case files on which you worked, and notes and agendas from weekly team meetings. I will also consider personal observations of your performance in the seminar, in the trial advocacy class, on cases, and in other Clinic activities. In grading, I place particular emphasis on any improvements in your performance over the course of the semester.

The specific self-evaluation and grading criteria with percentage allocations are as follows:

1. Attorney-Client Relationship 15%

Fostered active participation of clients in cases; recognized the client as ultimate decision-maker in the attorney-client relationship; identified and evaluated client goals through effective interviewing techniques; effectively counseled clients on available options; advised clients of significant developments in their cases; and was attentive to the political and social contexts in which individual cases arise.

2. Case Development and Planning 15%

Conducted thorough fact investigation and reliable, comprehensive legal research; engaged in creative and thorough issue identification and legal analysis; anticipated legal and factual arguments from adversaries; demonstrated initiative and creativity in developing and implementing case strategy; used procedural and evidentiary rules to the client's advantage.

3. Time and Case Management 15%

Maintained and managed work load in order to meet obligations to clients and the Clinic; met deadlines for case preparation; punctually attended all client meetings, court and hearing appearances and supervision meetings; meticulously recorded case activity and maintained case files with documentation of interviews, telephone conversations, correspondence, memoranda, pleadings and orders both in paper case file and in electronic version.

4. Oral and Written Advocacy in Cases 10%

Meticulously and timely prepared all written correspondence, documents and other work product; thoroughly researched drafts of memoranda and briefs; expressed thoughts orally and in writing with precision, clarity and economy; responded to faculty comments to improve drafts; thoroughly prepared all moots, all direct examinations, and all oral arguments; demonstrated an ability to be understood by and to persuade the tribunal.

5. Professionalism 15%

Collaborated effectively as a member of a team with other student attorneys and supervising faculty members, including participation in and/or observation of teammate's client interviews, court appearances, case planning, pleadings, etc.; professionally interacted with adversaries, court personnel, witnesses, and Clinic staff; secured the necessary approval from the supervisor before acting; consulted with the supervisor in the event of a suspected mistake; demonstrated an ability to identify and address ethical, ideological, or personal considerations bearing on a case or the attorney-client relationship.

6. Self-Evaluation and Self-Reflection 15%

Engaged in goal-setting and strategic planning before each lawyering activity; employed comprehensive and rigorous self-critique of all clinic performances; identified individual strengths and weaknesses to improve as an attorney during the course of the semester and beyond, and demonstrated significant growth in these areas. During or shortly after a lawyering experience, commented on feelings or reactions toward that experience; articulated how successes or challenges from that experience relate to one personally, to the role of lawyer, to the legal system, and to broader society; identified and implemented steps in order to apply lessons learned in the future. Strove to continually improve lawyering and critical thinking skills throughout the semester based on ongoing self-reflection and external feedback.

7. Mock Hearing 10%

Punctually attended all mock hearing sessions; thoughtfully prepared all mock hearing exercises; reviewed videotapes and critically evaluated performance of self and other student attorneys; employed feedback to improve performance; suggested issues for class discussion; participated in class critiques.

8. Seminar Participations 5%

Punctually attended all class meetings; completed all seminar assignments on time; thoroughly prepared for and participated in firm meetings, individual presentations, simulations and class discussions; suggested issues and cases for class discussion; thoughtfully prepared and completed trial advocacy assignments; reviewed videotapes and critically evaluated performance of self and other student attorneys; employed feedback to improve performance.

VIII. VETERANS ADVOCACY CLINIC POLICIES

A. Attendance Policy

Attendance at clinical seminars, team meetings, client meetings, and appearances before adjudicative and legislative bodies is a primary obligation of clinical students whose right to continued enrollment in a clinic is conditioned upon a record of attendance satisfactory to the professor. A student whose unexcused absences exceed a combination of three required clinic obligations or whose total absences, excused and unexcused, exceed five clinic obligations may be compelled to withdraw from the course. A student who is compelled to withdraw shall receive an "FA" in the course, unless in the professional opinion of the faculty member, it is deemed that the student should receive a "WA".

B. E-mail Policy

Your clients, opposing counsel, or other third parties may wish to communicate with you via e-mail. This is fine, although there are several guidelines you must follow. Keep in mind that e-mail, unlike a phone call, creates a permanent record that could be discoverable in litigation. Thus, our policy is as follows:

1. Your student e-mail assigned by the University of Baltimore **must** be utilized by you for all clinic-related incoming and outgoing emails. A confidentiality disclosure should be added to the bottom of any clinic-related e-mails. A standard confidential disclosure is available on the R-drive in the "Forms" folder under the file name "E-mail Confidentiality Statement."
2. All incoming and outgoing e-mails should be printed and kept in the correspondence section of the case file (because future students won't be able to access your online emails).
3. **All outgoing e-mails containing legal advice or discussion of legal strategy must be received and approved by me before they are sent.** You can e-mail me with the proposed message, and I will respond in kind. You **may not** send out the e-mail until I have sent you a message giving you permission to send it to the proposed recipient. *Other outgoing e-mail messages, such as those discussing meeting times and locations can be sent without my review.* They still

must be printed and placed in the file, along with any responses.

4. **You must use your University of Baltimore e-mail address for all e-mail communications. You may not forward your UB e-mail to another account. Please make sure you have an activated University of Baltimore e-mail address. If you take a message for a fellow student attorney, you must e-mail that message to the student attorney's UB e-mail.**

C. Laptop Policy / Smart Phones

Please note that the Clinic has a “no laptop and Smart Phone” policy for seminar sessions and team meetings. You are free to use your laptops and Smart Phones in the Clinic, however, laptops and Smart Phones are not permitted during seminars and team meetings. Please note any work completed on personal electronic devices must be saved to the R-drive in a timely fashion.

CHAPTER 2

EXPECTATIONS FOR STUDENT ATTORNEY PRACTICE

Rule 606 of the Board of Veterans' Appeals Rules of Practice, 38 C.F.R. § 20.606, permits you to practice as a student attorney before the Veterans Benefits Administration and the Board of Veterans Appeals. Rule 46(b)(1)(G) of the U.S. Court of Appeals for Veterans Claims Rules of Practice and Procedure permits you to practice before the Court of Appeals for Veterans Claims. Rule 16 of the Maryland Rules Governing Admission to the Bar permits you to practice as a student attorney in Maryland courts. **READ THESE RULES AND FAMILIARIZE YOURSELF WITH THEIR PROVISIONS.**

I. SUPERVISOR'S ADVANCE APPROVAL

I will review your plans and work at every stage of the case to ensure that the client receives high quality legal assistance and that you receive an education in the practice of law.

YOU MUST OBTAIN PRIOR APPROVAL FROM ME BEFORE YOU ACT. You must take the initiative to seek prior approval of your actions at your weekly supervision meeting or sooner if need be. You must clearly define every step involving client contact, contact with the opposing party, or with third parties, including the courts. **UNDER NO CIRCUMSTANCES MAY YOU TAKE ANY OF THE FOLLOWING STEPS WITHOUT EXPRESS APPROVAL FROM ME.**

- * Signing letters and documents – You must secure my signature on all documents, and approval on all letters and memoranda you send, including e-mails (except non-substantive emails such as when scheduling).
- * Giving legal opinions – Check legal opinions with me before advising your client. I may on occasion attend meetings that you have with your clients.
- * Contacting a court or agency – Check with me before you request an action on a case (file a notice of disagreement, claim, etc.). You must check with me even if you believe that the action you are about to take is routine or ministerial.
- * Negotiating and settling a matter on behalf of your client – Discuss all negotiations (including telephone negotiations) ahead of time. I may accompany you to any face-to-face negotiations. You must obtain prior approval from me and client before agreeing to any settlement. See MD Rule of Prof. Conduct 1.2(a).
- * Representing a client in court or at any agency – I must accompany you to all hearings.

II. STARTING POINTS IN HANDLING CASES

YOU ARE RESPONSIBLE for planning and executing the work on your case. Check each step of your casework with me. Many of you do not have experience in handling a case. Here are some suggestions on how to begin:

- A. Thoroughly read and reread any existing case file in its entirety. Pay particular attention to information you can learn by studying documents and correspondence. Take notes on questions and ideas you have, including any questions about documents or aspects of the case about which you are uncertain.
- B. Research and review pertinent statutes, ordinances, and regulations, including procedural rules that apply to the court or agency in which you are practicing. Research and review pertinent cases. Consult treatises and manuals on applicable law and court procedure and for leads on potential options. (Some secondary sources are listed in Appendix 1.) **HOWEVER, NEVER RELY UPON SECONDARY SOURCES.**
- C. Meet with your team member(s) to discuss possible starting points, list questions and necessary tasks.
- D. List questions you would like to ask your client. Decide what you want to learn at your next client meeting. Keep in mind your role as an advocate for the client. Try to determine what the client's goals are for the case.
- E. Make a list of files and public documents to review and questions you would like to ask the other side and witnesses. Be sure to personally view the court file in all pending cases. Think about whether you will need a release to see/obtain copies of materials.
- F. Meet with me to discuss your ideas.

III. COMMUNICATION WITH YOUR CLIENT

Keep your client informed of what you are doing and find out what new information the client has. Establish a regular communication pattern with the client. You should talk with the client regularly while you are actively working on a case.

Usually it is appropriate to send your client a copy of letters you send on the client's behalf. Check with your supervisor before sending out a copy.

Pursuant to Maryland Rule of Professional Conduct 1.6, many of the things your client will tell you during the course of your representation must be kept confidential. All of the University of Baltimore in-house clinics operate as one law firm. Under the rules of professional conduct, you may share confidential information with members of your law firm, including your supervisors, fellow clinical students, and staff and students in other in-house clinics, including the Civil Advocacy Clinic, Community Development Clinic, Family Law Clinic, Immigrant Rights Clinic, Innocence Project Clinic, and Mediation Clinic for Families. *See* Md. Rule 1.6 , Comment 5. You have a professional duty not to disclose any confidential information pertaining to any clients of the law clinics, regardless of whether or not you directly represent the individual.

While the Clinic Office is a secured space, please be aware of confidentiality when discussing your case work with others. Please note that two attorneys from KIND (Kids in Need of Defense) have offices in the law school and may visit the Clinic. These attorneys are not part of our in-house law firm, and you should not divulge confidential information about client or case work to these individuals.

IV. THOROUGH FACT INVESTIGATION

Fact investigation is critical to lawyering. It is a skill that you have not been using, by and large, in your other classes. Real cases are not “fact hypotheticals,” rather you have to work to find out “what happened.”

Fact investigations require initiative and creativity. Be curious! Keep in mind that you should have questions about your case and that you are responsible for tracking down the answers. Check the case file to see if another student attorney has looked into the question before you. Talk to the client if the answer is one the client might know or about which the client is likely to have leads.

At an early stage of the case, interview witnesses who have information about the facts of the case. Skillful interviewing elicits the relevant facts without putting words in the mouth of the witness or influencing the witness to tell you what you want to hear. Be sure to obtain copies of documents. In a VA claim, for example, documents may include medical records, military service records, rating decisions, Notices of Disagreement, Statements of the Case, and other VA or military member records.

PROMPTLY write down the information you obtain. When viewing a court or agency file, for example, note important documents by their title, including the date and office or person who authored it; obtain copies of documents that you may need to scrutinize. Voluminous documents should be summarized as needed.

During witness interviews, take good notes including: where the interview occurred, who was present, and the date and substance of the conversation. During telephone conversations, be sure to note the name, position, office name, department, and telephone number of the person with whom you are speaking, as well as the substance of the conversation. You or another case handler may need to call back or even testify about the call, so a good record is important.

Keep in mind that fact investigation generates many questions and possibilities, as well as answers. Moreover, fact investigation will continue throughout your work on a case as facts change and develop and as strategic decisions open up new possibilities and foreclose others.

V. PLANNING

A. Planning Documents

One main goal of the Clinic is to develop your case planning skills. **FOR EACH SUPERVISION MEETING, YOU ARE RESPONSIBLE FOR DEVELOPING A**

THOUGHTFUL AGENDA. The agenda will detail tasks to do on your cases and target dates for completion. In addition, you will develop written case plans, which also detail tasks to do on your cases and target dates for their completion, as well as the needs, options and leverage of the parties. You are further required to: outline major writing projects and submit drafts; prepare questions for direct examination of witnesses; and draft opening statements and closing arguments. All of these planning documents should be tailored to the needs of your case.

B. Practice Presentation/Examinations

As noted above, an important aspect of case planning is to practice trials and hearings. This will help you anticipate questions and concerns that may arise at the actual proceeding. Negotiation sessions or other presentations should also be “mooted.” The moot of a case may be videotaped for your review.

VI. DOCUMENTATION OF WORK IN PAPER CASE FILES, CORPUS LEX AND ELECTRONIC FILING SYSTEMS

The Clinic maintains case files in three ways: with a paper file, with Corpus Lex (an electronic file in a case management software program) and with electronic files on the R-drive. All three ways are equally important in our efforts to keep detailed, conscientious records of all case activity. The case files, as they are maintained both tangibly and electronically, often hold the work of several individuals and are the institutional memory of each case. **It is of the utmost importance that you maintain your files in both formats.**

A. The Paper Files

With only one exception, the paper case files are always kept in the file cabinets on the 2nd floor of the Clinic so that they are available to supervisors and other student attorneys. When you are not working on a case file, the file must remain in the file cabinet. Files should never be left in your carrels overnight. The only time a file should leave the office is for court appearances. Sign out the file whenever you take it out of the drawer, even if it is only to take it upstairs to work.

Professional responsibility and Clinic policy demand that you keep scrupulous records of all case activity to permit smooth coordination on the case and to make a good record for persons handling the case in the future. You must:

1. Record all actions in the case management system CORPUS LEX case notes section at the time they occur or immediately thereafter, including, but not limited to, summaries of any telephone conversations related to the case, filings of pleadings, client interviews, other meetings regarding the case, court/administrative file reviews, and other fact investigation events (if you write a memo describing an event, note the existence of the memo in the case management system case note) (for more information about Corpus Lex, see Chapter 2, Section VI(B) below;

2. For more complex case activity that cannot be completely and thoroughly described in Corpus Lex case notes, draft a memo describing the case activity, including, but not limited to, what you learn in interviews, your analysis of documents and records, a description of a lengthy phone conversation, what occurred at a negotiation meeting, client counseling session, or court appearance, or your analysis of the case (these are to be done ASAP after the event and should be placed in the “Client Info/Memo” section of the paper file);
3. Record legal research and analysis in a memo to the file, place photocopies of legal research in the file, and identify areas that need further research;
4. Place and keep copies of all pertinent documents you gather in fact investigation in the file;
5. Place in the paper file all correspondence received and copies of all **signed** correspondence sent by the Clinic (a copy of a letter prior to signature is not sufficient);
6. Place a copy of all materials developed for hearings (e.g., opening, direct examination questions, closing) in the paper file or as a separate trial notebook inserted in the file.
7. Keep the latest version of draft documents in the file;
8. Place final, signed copies of all documents in the paper file, and index them for easy retrieval; and
9. Maintain a current list of names, titles, addresses and phone numbers of all people relevant to the case in Corpus Lex system, including, but not limited to, the client(s), other parties, attorneys, witnesses, and contacts at agencies. Although Melanie Hanson will enter the client’s information known at the time of intake, it is the student attorney’s responsibility to update the electronic system as information changes or new information is provided.
10. Claims Summary. The Claims Summary should be the first document in the “Memo to File” tab in your paper files and uploaded to Corpus Lex (See sample Claims Summary in Appendix 10).

You must also notify your supervisor of all interviews, meetings with third parties, and court appearances, and record all client interviews and court appearances in Corpus Lex. See Chapter 3, Section I (B).

B. Corpus Lex

The Clinic also uses an electronic case management system known as Corpus Lex. Each

case that you work on is assigned a file in Corpus Lex. You must update and maintain both the paper file and Corpus Lex file. For the Corpus Lex files, you must record all case activity in the Corpus Lex “Case Notes” section at the time the event occurs or immediately thereafter, including, but not limited to, summaries of any telephone conversations related to the case, filings of documents, client interviews, other meetings regarding the case, court/administrative file reviews, and other fact investigation events (if you write a memo describing an event, note the existence of the memo in the case management system case note). Finally, you must put trial or hearing dates for your cases into the master Corpus Lex calendar. You must also maintain your own Administrative Work file with the time spent in class, supervisory meetings and any work NOT associated with a client or potential client. During orientation, you will receive training on Corpus Lex and instruction on how to complete the tasks described above.

C. Electronic Files

In addition, each case has an electronic case file maintained on the R-drive. Client files are located at R:\Law_Clinic\Students\VAC\CLIENT WORK. Each electronic case file should contain relevant subfolders to organize the files, including, but not limited to, the following subfolders: Admin, Correspondence, Memos, and Briefs.

You are required to keep your supervisor informed on the status of your cases by updating the Excel spreadsheet “Client Spreadsheet” saved in the CLIENT WORK folder on the R: drive. Prior to team meetings your supervisor will check the status of your cases.

When you prepare an electronic document for a particular case, save all versions of that document in the appropriate client folder in the R-drive under the appropriate subfolder. When working with multiple versions of a document, make clear which versions are drafts and which version is the finalized version.

CHAPTER 3

CASE OPENING, MAINTENANCE AND CLOSING

This chapter describes the procedures staff and student attorneys are to follow for case file management in the Veterans Advocacy Clinic.

I. INTAKE

There are four separate phases to the intake process:

1. screening cases to make appointments;
2. the initial interview;
3. the decision by the Clinic to accept a case; and
4. opening a case file for a new client.

A. Case Screening

Cases will be referred to the Veterans Advocacy Clinic through various community organizations dedicated to assisting veterans. We primarily accept cases from the Baltimore area, though our practice is not limited by state or local jurisdiction. We may take cases outside Baltimore depending on the complexity and educational value of the case.

Generally, the Clinic faculty makes a preliminary determination about a matter's suitability for the Clinic and then refers potential cases to student attorneys to arrange an initial interview. If a referral service source should speak directly with you, you should complete our online client intake form. Explain that you will have to confer with the faculty before setting up an appointment. **Never agree to accept a case prior to speaking to your faculty supervisor.**

B. Making Appointments

Generally, it is your responsibility to schedule appointments. Initial interviews are to be scheduled in conjunction with your faculty supervisor. All appointments for initial interviews, appointments for witness interviews, and all hearing dates are to be recorded on the calendar in Corpus Lex. The notation should include the client name, the name of the student attorney, the time of the event, and the location of the event.

After making an appointment for an interview, you need to reserve one of the interview rooms on the second or third floor, or, if necessary, a classroom. In order to reserve an interview room, submit a request form to Terry Berk on the 2nd floor. If none of these are available, consult a faculty member to see if you may use his/her office. The student attorney is to bring the Veterans Advocacy Clinic release form, client retainer form, and Claimant's Appointment Form (VA Form 21-22a) to the initial interview. All forms should be completed at the initial interview if possible. You must consult with your supervising faculty member on the wording of the retainer agreement, including the scope of representation, and obtain approval of such language, prior to presenting the retainer to a potential client.

Be sure to note all appointments and hearing dates in the Corpus Lex calendar.

C. Initial Interviews

Check with your supervisor before scheduling an initial client interview. When a client comes to the Clinic building for an appointment, the receptionist asks the client to take a seat and notifies the student attorney or administrative assistant that the client is waiting. Student attorneys should use Tabzon to inform the receptionist of the telephone extension where they can be reached while waiting for the client (see Melanie Hanson for questions regarding Tabzon).

You should meet the client in the reception area, and escort him/her to the appropriate interview room. If you anticipate that the client will bring papers to the interview, please ask Melanie Hanson if she will be available and can assist you with copying the documents during your interview. **Whenever possible, return the originals to the client during the appointment.** If the documents are too voluminous to copy while the client waits, make the copies and then return the originals to the client as soon as possible after the appointment.

D. Online Client Intake Form

Prior to the initial client interview, the veteran should complete the Veterans Advocacy Clinic Online Application. The information requested in the application form is critical to ensuring that the Clinic has the necessary information to make a decision about representation and to determine if representing the potential client would result in a conflict of interest. If the veteran is not able to complete the online application, you should complete the application form with the veteran.

E. Case Acceptance

You must check with Veterans Advocacy Clinic faculty before agreeing to take a case. There are no exceptions. Once the Clinic agrees to accept a case, you should fill out a Client Retainer Agreement and VA Form 21-22a to be signed by the client, prepare an opening memo summarizing the facts learned and the next steps to be taken, and discuss a conflicts check with the clinic administrative assistant. You should place the client's Application, interview notes, opening memo, and any copies of papers received at the interview into a manila folder and put the folder on the Veterans Advocacy Clinic administrative assistant's desk with a note requesting that the file be opened.

To open a case file, the administrative assistant:

1. Logs in each case in the case log to obtain a file number;
2. Adds relevant information to the conflicts database.

II. OPEN FILE STORAGE, MAINTENANCE AND REPORTING

After reviewing by faculty, open files are kept in the VAC file cabinet on the second floor in Room 217. Files should be organized, secured in a binder or folder, and not contain loose papers. NEVER REMOVE FILES FROM THE BUILDING EXCEPT FOR COURT OR HEARINGS. You should make your own copy of file documents that you need to analyze; the file itself must stay in the building and should be placed in the file cabinet when not in use so others can easily locate the file.

Files will grow with research, notes, client papers, and pleadings. As soon as papers become numerous, you should ask the administrative assistant to prepare a multi-flap folder.

The following lists what materials should go under the subdivision of Clinic case files:

Client Info/Intake	client application form; retainer agreement; VA Form 21-22a (power of attorney); medical and other release forms
Memos to File	Claims Summary on top; case status/update memoranda; transfer memoranda
Research	research (put research underneath the file index)
VA Correspondence	all correspondence TO and FROM the VA, in reverse chronological order, <i>tabbed and indexed corresponding to a File Index cover sheet</i> ; hearing notices and decisions; claims submissions; support statements.
Clinic Correspondence	all Clinic correspondence with the client (including emails), in reverse chronological order
Other Papers	requests for military and medical records from other than the VA; buddy letters; other correspondence and client papers/records (full medical record is kept in a separate 3-ring binder or accordion file folder)

Tickler systems are crucial to make sure that we complete client work on time. You are thus required to: (1) maintain your own personal calendar, listing not only hearing dates, but deadlines for drafts, case tasks, and Clinic meetings; (2) inform your supervisor of all upcoming deadlines on a case; (3) update the Client Spreadsheet; and (4) update the Claims Summary.

Weekly Production Reports – You must complete a Weekly Production (time) Report on Corpus Lex. This report should list the amount of time spent on your individual cases and all other types of work in the Clinic, including seminar assignments. Print the report from Corpus Lex and deliver a hardcopy to your supervisor’s mailbox at least two hours prior to team meeting.

Case Transfers –At the end of a semester, the student attorney responsible for the case is

to prepare a transfer memo. The purpose of the transfer memo is to acquaint the person who will inherit it with the status of the case.

The memo should cover: (1) any deadlines; (2) the facts of the case; (3) the client's goals; (4) the work we have agreed to undertake for the client and what we have done so far; (5) the theory of the case; (6) the legal research already performed; (7) additional information and/or research needed; (8) the first steps that the next attorney on the case should take; (9) the names and phone numbers of all persons contacted on the case; and (10) a description of any difficulties you have had in working on the case.

III. CASE CLOSING

When the work on a case is completed, you need to prepare the case for closing. The supervisor's approval is necessary before any case is closed. A student attorney proposing to close a case must complete the Closed Case Form (R: drive, under Forms) and give it to his/her supervisor with the file. The Closed Case Form serves as a checklist to show your supervising attorney that all tasks necessary to close the file have been completed. The supervising attorney will sign the form and give it to the Administrative Assistant who will close the case on Corpus Lex and file in the closed case drawer.

CHAPTER 4 CLINIC OFFICE PROCEDURES

I. CLINIC BUILDING

A. The building address for the Clinic is University of Baltimore School of Law, Veterans Advocacy Clinic, 1401 North Charles Street, Baltimore, Maryland 21201. The mailing address for the Clinic is University of Baltimore School of Law, Veterans Advocacy Clinic, 1420 North Charles Street, Baltimore, Maryland 21201-5779. The Clinic fax number is (410) 837-4776.

B. Pleadings and all other papers filed with the VA or Court should use the 1420 North Charles Street address to ensure proper delivery.

C. Parking is available for clients in UB's Fitzgerald Garage. Parking passes are available from the receptionist so that clients may park without cost in the Fitzgerald Garage. If your client will need a parking pass, please check with the receptionist prior to your client's visit to ensure that there is a parking pass available for your client.

D. There are work stations for student attorneys with telephones and computers on the second and third floor.

E. The Veterans Advocacy Clinic maintains a small library of reference books on the bookshelves on the 4th floor. No books are to be taken out of the building. All copying jobs for Clinic cases may be done on the second or third floor copiers at the Clinic.

NOTE: Clinic copiers and printers should be used only for Clinic-related work. Please ask permission from Laura Garcia before using printers or copiers for any other projects.

II. OFFICE HOURS

The Clinic's business hours are 8:00 a.m. to 5:00 p.m. During this time, someone will be sitting at the receptionist desk to let clients into the lobby and answer telephone calls. You may work at the clinic office at other times besides office hours. The Clinic space is available for your use for the following hours:

Monday – Friday: 8:00 a.m. to 11:00 p.m.

Saturday: 8:00 a.m. to 8:00 p.m.

Sunday: 10:00 a.m. to 11:00 p.m.

III. STUDENT ATTORNEY OFFICE HOURS

You are required to schedule at least four office hours over two separate days at the Clinic. These hours are in addition to your weekly supervision meeting and seminar times. The purpose of this requirement is to ensure that you get telephone messages, mail, and staff memoranda, to increase interaction with staff, to facilitate and encourage use of the office

support systems, and to reduce the potential for conflict in demand for office space and equipment. You will schedule the weekly office hours at the beginning of the semester.

Even on days when you do not plan to be in the Clinic building, it is your responsibility to check with the administrative assistant or your teammate to see if there are messages or correspondence relating to your cases.

IV. BUILDING SECURITY

The Angelos Law Center will be open to students Monday through Thursday from 8:00 a.m. to 11:00 p.m. and Friday 8:00 a.m. to 8:00 p.m. When the building is closed, all main entrance doors are locked. Your UB Bee Card will allow you to enter the by tapping the card on the security box outside the front of the building (not the revolving doors). If you would like to be in the building outside of these hours, please discuss alternative arrangements with your supervising attorney and campus security.

V. INFORMATION RESOURCES

A. Veterans Advocacy Clinic Case Files

THE VETERANS ADVOCACY CLINIC CASE FILES MAY NOT BE REMOVED FROM THE OFFICE WITHOUT PERMISSION AND A WRITTEN RECORD OF YOUR “CHECK OUT”. Instead of removing the file, make a copy of documents that you need to take out of the building for research or investigation. **DO NOT LEAVE FILES AT YOUR WORK STATION WHEN NOT IN USE. RETURN THEM TO THE FILE CABINET.**

B. Sample Documents

For assistance in drafting documents, check closed files in a related subject matter area. The administrative assistant can help you in locating such files. Also, various documents can be found on the network subdirectory under R:\Law_Clinic\Students\VAC\FORMS-VAC. Recognize that the forms are to assist you as a starting point, not to be adopted in whole. You must review carefully whether they are applicable to your case, and if they are, edit them accordingly.

C. Veterans Advocacy Clinic Library

Veterans Advocacy Clinic library holdings are listed in Appendix 1.

D. Lexis and Westlaw

All Clinic computers can access Lexis and Westlaw. Students should print materials on the dedicated Lexis printer located on the 3rd floor. There is no longer a Westlaw printer in the Clinic. Please contact the Office Manager, Laura Garcia (lgarcia@ubalt.edu) if you need assistance in changing your print destination.

Students are encouraged to save electronic copies of materials from Lexis and Westlaw,

rather than printing them out. These materials can be saved to your clients' files on the R-drive.

VI. ADMINISTRATIVE ASSISTANCE SERVICES

A. Word Processing

All Clinic client work should be saved on the Clinic's R-drive network that is backed up nightly. **All documents containing client work should be saved to the designated individual client folder located in the Client Work folder.** Working on flash drives is discouraged, as documents can become corrupt during the transfer from home computer to laptop to the Clinic network. Work on flash drives at your own risk. The Clinic uses Microsoft Word for word processing. You are to keep your own record of document names so that your work is not lost.

B. Requests for Service from Administrative Assistant

VAC's administrative assistant, Melanie Hanson, will help you create new client files, print all final drafts of letters on letterhead, and help you with any administrative questions you may have. If it is something procedural, please see Melanie before approaching Laura Garcia, the office manager.

If you have any work for Melanie, speak to her about it first, if possible. Provide information about who it is from, what is requested to be done, whether it is urgent, and where a document is located on the R: drive, if applicable. **Place it in the black wire mesh in-box marked 'VAC Students' on the shelf in Melanie's office, Room 413, with a post-it identifying what it is. Do not leave documents for Melanie on her chair, desk or any other place.** Melanie will return materials to you as needed via your mailbox, unless you make other arrangements with her.

VII. OFFICE EQUIPMENT

The following office equipment is available for your use under the noted conditions.

<u>Equipment</u>	<u>Conditions</u>
Photocopiers	You may use the copiers for Clinic work only.
Typewriter	A typewriter is available in Room 435.
DVD and Videotape	Video equipment is available for use in class and for practice presentations. All classrooms, interview rooms and preparation rooms have DVD playback equipment.
Camcorder	Secure approval from your supervisor and send an e-mail message to the Office Manager, Laura Garcia (lgarcia@ubalt.edu), and the supervisor with the date, time and, duration you will need the equipment.

Computers	Computers are available for student attorney word processing and research. Staff and faculty computers are not to be used by student attorneys without permission.
Digital Camera	Secure approval from your supervisor and send an e-mail to the Office Manager, Laura Garcia (lgarcia@ubalt.edu), and the supervisor with the date, time, and duration you will need the equipment.

VIII. COMMUNICATIONS

A. Telephone

All incoming calls should be received through one of the main Clinic phone numbers: (410) 837-5706; (410) 837-5709; (410) 837-5713. These lines are answered by the receptionist, an administrative assistant, or a student assistant and a message can be taken. Extensions are listed on a phone list that will be given to you at the beginning of the semester. University extensions may be reached by dialing the last four digits of the number. Outside lines can be reached by dialing 9 + the number. For more instructions on the phone system features, see the telephone instructions booklet located in the student attorney work areas.

If you answer the telephone and the caller is seeking legal assistance, take a message and discuss the matter with your supervisor. Do not give advice or agree to take a case without approval.

Avoid providing your personal telephone numbers to clients.

B. Using Tabzon

All Clinic faculty, staff, and student attorneys use Tabzon, an in/out board that allows you to post status updates with your availability. As soon as you begin your Clinic office hours and any other time when you are in the Clinic or available to be reached, go to www.tabzon.com, login with your UB email address and password given to you (you should change this initial password). Next, enter your telephone extension into the right-hand side. This information is how the receptionists will transfer telephone calls to you and inform you of a client's arrival. You can login from Tabzon from any computer.

Make sure you log out of Tabzon whenever you are finished working in the Clinic. You will not be logged out automatically by closing the Tabzon webpage or logging out of the Clinic computers!

C. Fax

Faxing is available through the second floor printer. The incoming fax number is (410) 837-4776. To send materials by fax, complete a clinic fax cover sheet. Cover sheet forms are located on the R-drive under the VAC Forms folder. Outside fax numbers can be reached by dialing 9 + the number. You must have approval from a supervisor to fax materials. Incoming

faxes go onto the computer system. The receptionist regularly checks for incoming fax messages. Incoming fax messages will be distributed by email to your UB mail account.

D. Mail and Messages

CHECK WITH THE OFFICE DAILY. Student attorney mail will be placed in the mailboxes located on the 3rd floor. Telephone messages will be entered into Corpus Lex, the case management system. Be sure to check Corpus Lex regularly for messages. Be sure to check for messages from faculty, staff, and other student attorneys each time you come to the Clinic.

All outgoing mail for regular first-class delivery should be placed in the outgoing mail box on the second floor by 2:30 p.m. for daily afternoon mail pickup. After 2:30 p.m. you may place the mail directly in the Central Mailroom mailbox at the Academic Center near Room 135. Please note that mail delivered to the Central Mailroom mailbox after 2:45 p.m. will likely not be postmarked until the next business day. After 2:30 p.m. you may place the mail directly in the United States Postal Service mailbox located at the northwest corner of Charles and Mount Royal. The USPS pickup for that mailbox is 4:00 p.m.

Unless you are placing mail directly in the USPS mailbox, stamps are not needed as the Central Mailroom uses postage meters. If you should require a stamp or a stamped self-addressed envelope, see the administrative assistant or the office manager. If you need a large self-addressed, stamped envelope, please see the office manager. If you have mail to be sent certified, give it to the administrative assistant and she will ensure that it is handled properly. In the event that you should have to Fed Ex documents, the administrative assistant will take care of this also.

***Remember: if you have signed a certificate of service on a court document certifying a document has been mailed on a particular date, it is your responsibility to make sure it is picked up or placed in another mailbox that has a pickup time on that day.**

IX. REIMBURSEMENT

The Clinic will reimburse you for certain out-of-pocket expenses incurred in the course of casework. Advance approval is required for reimbursement for expenses over \$5.00. Reimbursement requires a receipt.

Reimbursement requests are due on the 1st day of each month. Save all receipts (no reimbursement can be made if a receipt is illegible or printing is too light for Finance to read), fill out a reimbursement form, including your name, the date, the amount sought, the reason for the expense, and attach the **original** receipts. Give the request to the VAC Clinic Administrative Assistant. She will submit requests to the University. Processing reimbursements may take several weeks. **NO REIMBURSEMENT REQUESTS WILL BE ACCEPTED PAST THE LAST DATE OF EXAMS FOR THE SEMESTER!**

X. CLIENT ESCROW ACCOUNT

All money received from clients or payable to the Clinic on behalf of clients must be deposited into the client escrow account. The Office Manager will provide a receipt for client payments. All checks or money orders written to the Clinic should be made payable to the University of Baltimore Clinical Law Programs Escrow Account.

To request a check from the escrow account, a student attorney must complete an Escrow Account Deposit/Check Request Form, obtain his/her supervisor's approval, and submit the form to the Office Manager.

APPENDICES

APPENDIX 1: Legal Treatises, Manuals, Digests, and More

This appendix is divided into two sections: substantive law, and skills including interviewing, counseling, hearing preparation, and negotiation.

The below titles are available as part of the clinic's private library collection; new titles are obtained on a regular basis. All other titles can be found at the law center library. Library call numbers are given at the end of the listing for items located in the law center library.

SUBSTANTIVE LAW

Veterans' Public Benefits

AFCC, Family Court Review, An Interdisciplinary Journal, Vol. 52 No. 3 (July 2014)
ABA, The Legal Guide for Military Families (2013)
Applegate, et al., The Changing Landscape of Veterans Affairs (2008)
Dept. of Veterans Affairs, Federal Benefits for Veterans, Dependents and Survivors (2013)
DC Bar Pro Bono Program, The Veterans Consortium Pro Bono Program (2013)
Feldmann, Navigating the Military Justice System (2012)
NVLS, Federal Veterans Laws, Rules and Regulations (2013)
Rotunda, Military and Veterans Law (2011)
Savino & Krannich, The Military to Civilian Transition Guide (2013-2014)
Schoenhard, Veterans Affairs Law (2012)
Shea, et al., Navigating Legal Issues for Military Veterans (2013)
Sloan, Researching the Law: Finding What You Need When You Need It (2014)
Sloan, Basic Legal Research: Tools & Strategies, 5th ed. (2012.)
Sloan & Schwinn, Basic Legal Research Workbook (2012)
Stichman, Veterans Benefits Manual (2013) 2 copies
West's Veterans Appeals Cumulative Digest, (July 2014)
See Bob Parsons Veterans Advocacy Clinic Website Resources List

Ethics and the Practice of Law by Law Student Attorneys

Maryland Lawyers' Rules of Professional Conduct, Volume 2 of the Maryland Rules, 475 et seq. *
Rule 16 of the Rules Governing Admission to the Bar, Volume 2 of the Maryland Rules *

SKILLS

Interviewing and Counseling Clients

Bastress & Harbaugh, Interviewing, Counseling & Negotiation (1990)(R)
Bellow & Moulton, The Lawyering Process (1981) KF 306.A4 B45 *
Binder, Bergman & Price, Lawyers As Counselors (1991) *
Binder & Price, Legal Interviewing and Counseling (1977) KF 311.B5
Mauet, Pretrial (4th ed. 1999) *
Shaffer & Elkins, Legal Interviewing and Counseling (1997) KF 311.S5 1997

Negotiation

Bellow and Moulton, The Lawyering Process (1981) KF 306.A4B45 *
Fisher & Ury, Getting to Yes (2d ed. 1991) BF 637.N4 1983
Williams, Legal Negotiations and Settlement (1983) KF 9084.W544 1983

Legal Writing

Charrow and Erhardt, Clear and Effective Legal Writing (2nd ed. 1995) (R)* KF
250.C52
Strunk & White, The Elements of Style (4th ed. 2000) PE 1408.S772

APPENDIX 2: Clinic Faculty and Staff Listings

Clinic Administration

Professor Robert Rubinson 837-4094 (office)
Director of Clinical Programs

Staff: Laura Garcia, Office Manager 837-5659 (office)
Terry Berk, Administration Assistant/Receptionist 837-5762 (office)

Civil Advocacy Clinic

Faculty: Professor Michele Gilman 837-5656 (office)
Professor Michelle Ewert 837-5618 (office)

Staff: Roz Williams, Administrative Assistant 837-5705 (office)

Community Development Clinic

Faculty: Professor Jaime Lee 837-5649 (office)
Professor Parag Khandhar 837-5830 (office)

Staff: Melanie Hanson, Administrative Assistant 837-5653 (office)

Immigrant Rights Clinic

Faculty: Professor Elizabeth Keyes 837-5666 (office)
Professor Emily Torstveit-Ngara 837-5732 (office)

Staff: Terry Berk, Administrative Assistant 837-5762 (office)

Innocence Project Clinic

Faculty: Professor Michele Nethercott 837-6543 (office)

Staff: Towanda Luckett, Paralegal 837-5388 (office)
Deborah Thompson, Administrative Assistant 837-6798 (office)

Mediation Clinic for Families

Faculty:	Professor Robert Rubinson	837-4094 (office)
	Professor Jane Murphy	837-5657 (office)
	Professor Eve Hanan	837-5823 (office)
Staff:	Brittmy Martinez, Administrative Assistant	837-5752 (office)

Family Law Clinic

Faculty:	Professor Margaret A. Johnson	837-5779 (office)
	Professor Jennifer Kim	837-6723 (office)
	Professor Allison Korn	837-5481 (office)
Staff:	Brittmy Martinez, Administrative Assistant	837-5752 (office)

Veterans Advocacy Clinic

Faculty:	Professor Hugh McClean	837-4339 (office)
Staff:	Melanie Hanson, Administrative Assistant	837-5653 (office)

APPENDIX 3: Useful Internet Sites Recommended by the Veterans Advocacy Clinic

Maryland Poverty Law

People's Law Library of Maryland
(excellent Maryland-specific site
providing legal summaries and relevant
links in all areas of poverty law) <http://www.peoples-law.com/>

Maryland Legal Services Corp. <http://www.mlsc.org/>

Legal Aid Bureau, Inc. <http://www.mdlab.org/>

General Poverty Law

National Center on Poverty Law <http://www.povertylaw.org/>

Welfare Law Center <http://www.welfarelaw.org>

Center for Law and Social Policy <http://www.clasp.org>

Consumer Law

Maryland Attorney General's Office,
Consumer Protection Division <http://www.oag.state.md.us>

Federal Consumer Law <http://www.ftc.gov/>

Consumer Product Safety Commission <http://cpsc.gov>

National Consumer Law Center <http://www.consumerlaw.org>

Housing

HUD and Federal Housing <http://www.hudclips.gov/>

National Law Center on Homelessness
and Poverty <http://www.nlchp.org/>

National Housing Law Project <http://www.nhlp.org/>

Courts

Maryland Courts	http://www.courts.state.md.us
Baltimore City District Court	http://www.courts.state.md.us/district/dcbaltcity
Circuit Court for Baltimore City	http://www.baltocts.state.md.us/
U.S. Bankruptcy Ct. for Maryland	http://www.mdb.uscourts.gov
U.S. Dist. Ct. for the Dist. of Maryland	http://www.mdd.uscourts.gov

Judicial Opinions on the Internet

Courts.net (the nation's court's directory Covering Federal courts and 46 state courts)	http://www.courts.net
Federal Courts Finder (links to federal court decisions (Sup. Ct. Fed. Cir. Ct. opinions and federal claims)	http://law.emory.edu/FEDCTS
Findlaw (comprehensive free library of Sup. Ct. opinions)	http://www.findlaw.com/casecode

Poverty Information

Real Poverty and Business Information for Maryland	http://www.dat.state.md.us or http://www.lexis.com (Maryland library)
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Legal

Sample Pleadings, Discovery materials	http://law.ubalt.edu/lawlib/index.html (go to exams and forms and use Prometheus)
Browsing the U.S. Code	http://www4.law.cornell.edu/uscode
American Law Sources On-Line (ALSO Links to on-line sources of American Law)	http://lawsources.com/also
Legal Research	http://westlaw.com http://lexis.com
Federal Cases, Codes, Law Reviews	http://findlaw.com
LAWlink (ABA Legal Research selected starting points)	http://abanet.org

Find a Lawyer

Martindale-Hubbell <http://www.martindale.com>

Federal Government/Legislative/Administrative

Federal Legislative and Congressional Info <http://thomas.loc.gov/>

General Accounting Office <http://gao.gov/>

Links to Federal Government Agencies <http://www.lib.lsu.edu/gov/fedgov.html>

Maryland Government

Links to Maryland Gov't Agencies <http://www.mec.state.md.us/mecagenc.html>

Maryland General Assembly <http://mlis.state.md.us/>

Maryland Electronic Capitol <http://www.mec.state.md.us/>

Maryland.gov <http://www.maryland.gov>

Baltimore City Government <http://www.ci.baltimore.md.us/>

Baltimore City Council <http://www.baltimorecitycouncil.com/>

Baltimore City Dept. of Soc. Services <http://www.dhr.state.md.us/baltcity.htm>

General Reference Sites

To Locate a Missing Witness <http://www.skipease.com>

Telephone Directory on the Web,
Phonebooks, White Pages <http://www.whitepages.com>
<http://www.yellowpages.com>

Who Where? The Way to Find People
on the Web <http://whowhere.lycos.com>

Zip Code and Address Information http://www.usps.gov/ncsc/lookups/lookup_zip+4.html

Clearinghouse of other Links
(Yellow Pages, News, Weather, etc.) <http://www.refdesk.com>

APPENDIX 4: CLIENT INTAKE FORM (remove and use online intake form??)

The University of Baltimore
Bob Parsons Veterans Advocacy Clinic

APPLICANT INTAKE FORM
PRIVILEGED AND CONFIDENTIAL WHEN COMPLETED

APPLICANT INFORMATION:

Full Name: _____

Branch of Service: _____

Military Status and Branch of Service: (Veteran, Active Duty, etc.) _____

Dates of Service: _____

MAILING ADDRESS AND CONTACT INFORMATION:

Street Address: _____

City, State, Zip: _____

Telephone Number: (Home) _____ (Work) _____

Cell: _____

Email: _____

Does client approve contact at home address and phone number? YES / NO.

If "NO" list Alternate Address and Phone: _____

State of Legal Residence: _____

Legal Issue (please briefly describe): _____

Does your legal issue require immediate attention? Do you have a pending claim? What is the status of your claim?

Are you represented by another attorney or veterans service organization (DAV, American Legion, VFW, etc.)?

What is your annual household income?

What is your employment status?

Are you homeless?

How did you hear about the Clinic?

Printed Name: _____

Signature: _____

Date: _____

FILE MATTER INFORMATION

Date Opened: _____

Court or Hearing Date, if any: _____

File Type:

_____ Disability Compensation

_____ Pension

_____ Discharge Upgrade

_____ Medical Evaluation Board/Physical Evaluation Board

_____ Veterans Treatment Court

_____ Traumatic Servicemembers' Group Life Insurance (TSGLI)

_____ Other: _____

VAC ATTORNEYS:

Student Lead Counsel: _____

Student Co-Counsel: _____

Supervising Attorney: _____

FOR OFFICE USE ONLY

Interviewer: _____

Conflicts Check Requested By: _____ On _____

Conflicts Check Performed By: _____ On _____

Attach results of conflicts check to this form.

APPENDIX 5: VAC Letter Writing Format

**Begin Letter 3-4 Spaces from top of page
Letter should be centered on page(s)**

Date (start on #3 of ruler line)

↓
↓
↓

3 spaces

Mr. Wardale Smith (start on 4th line)
1121 S. Jamaica Avenue
Baltimore, MD 21201

↓ **2 spaces** (start on 2nd line not 3rd)

(indent) Re: Medicaid Application

↓ **2 spaces**

Dear Mr. Smith:

↓ **2 spaces**

(indent) I am writing to give you an update on your case. I have spoken with a Department of Social Services supervisor, Mr. Frank Wimzie, who has agreed to look over your file and try to process your application for Medical Assistance benefits as quickly as possible. The Clinic office will follow up with Mr. Wimzie, and if the matter is not resolved soon, we will request a hearing.

↓ **2 spaces between paragraphs**

(indent) Over the winter break, your case will be handled by Professor Daniel Hatcher and Professor Michelle Ewert. They can be reached at 410-387-5706. If your case is still open in mid-January, you will receive a new student attorney. It has been a pleasure working with you.

↓ **2 spaces**

↔

Sincerely, (start on #3 of ruler line)

↓
↓
↓

Your Name (4th or 5th line depending letter length)
Student Attorney*

↓ **2 spaces**

↔

Enclosure

↓ **2 spaces**

cc: Frank Wimzie

↓

↓ **3-4 spaces** (depending on length of letter)

**Practicing pursuant to Rule 16 of the Rules Governing Admission to Bar of Maryland.*

APPENDIX 6: Office Procedures for Student Attorneys

CORPUSLEX:

1. Student attorneys are responsible for updating any additional client information on CorpusLex once the case has been opened on CorpusLex by the administrative assistant. Please ask the administrative assistant for help if you are not sure where to enter the information in CorpusLex.

FILES:

1. Remember to always sign out open case files before removing them from the file cabinet.
2. Original case files **SHOULD NEVER** be taken out of the clinic unless you are going to court or a hearing.
3. If you would like to create a working file for your own use outside of the clinic, please see the administrative assistant for a used case file. Blank case file folders should not be used for working files.
4. The Open case file drawer is in alphabetical order (name facing to the front), please keep them in order.
5. Please use Exhibit or Index Tabs instead of binder dividers in case files (located on top of Open File drawer cabinet)
6. Please remember to place a *signed copy* of all out-going letters/documents in the client file before mailing.
7. When CLOSING a case, please make documentation in CorpusLex, print out copy of the Note Summary including hours, send out a closing letter to client, complete **closed case form**, pull file, and give file along with a closed case form to your assigned supervisor. You or your assigned supervisor will place the client file in the basket or give to the administrative assistant to close.
8. All extra copies of client's documents along with your working copies of the assigned case file, upon leaving the clinic at the end of the semester, should be placed in the SHRED BOX located on the 2nd or 3rd floors of the clinic. Never place any client documents (confidential information) in the trash can or recycle bin
9. Please see the clinic administrative assistant for any closed case file, if needed. The filing system is different for closed files.

ONLINE CLIENT APPLICATION FORM:

1. An Online Application Form must be completed in addition to the intake sheets received from

other agencies. Please ask your clients to complete an Online Application Form. If the veteran cannot complete the form please complete the online form for the client over the phone prior to the initial interview. Once the clinic administrative assistant receives the form she will open the case in CorpusLex, if case has not been opened. The clinic administrative assistant will create a paper file for you once the Application Form is received.

INTERVIEWING CLIENTS:

Any “Interview” or “Preparation” room with video capability on the 2nd or 3rd floor is available for you to interview or meet with your client. These rooms include:

- (1) Room 210
- (2) Room 211
- (3) Room 212
- (4) Room 213 (with child’s playroom)

If the Interview and Preparation Rooms are booked, “Participation” and “Mediation” rooms may also be available to you. These rooms include:

- (1) Room 304
- (2) Room 305
- (3) Room 306

You must complete an interview request form and submit it to tberk@ubalt.edu in order to reserve a room to interview or meet with your client. If there are no rooms available, your assigned supervisor may allow you to use his/her office.

MAIL:

1. Outgoing mail is picked up from the clinic ONCE a day, between 10:00 – 10:30 a.m. and taken over to the mailroom at 3:00 p.m. by clinic student worker.
2. Stamps are **NOT** required for outgoing mail. Place outgoing mail in the designated basket on the second floor.
3. UB Clinic Reply envelopes are available for enclosed return reply. These envelopes cannot be taped onto larger size manila envelopes. If a manila envelope (larger envelope) is needed, please see Laura (room 419) for stamps.

Fax - There is one fax machine in the building for student use, available through the 2nd floor copier. Cover sheets are next to the fax machine on the 2nd floor. All incoming faxes will be distributed by email to your UB e-mail account or printed and place in your clinic mailbox.

FedEx – Give to the clinic administrative assistant

Certified Mail – Give to the clinic administrative assistant and specify form of certified mail required, e.g., return receipt requested.

PRINTING LETTERS:

1. Printed letters must be approved by a supervising attorney by a signed hard copy or e-mail before the clinic administrative assistant will print on Clinic letterhead.
2. Please inform the clinic administrative assistant if a large envelope will be needed for mailing several documents. Also, provide names and addresses of others to receive copies of the same documents.
3. Please follow the sample letter format on page 39 for all outgoing letters. Be sure to include "Student Attorney*" under your name in the letter and then come down three to four spaces and type *Practicing pursuant to Rule 16 of the Rules Governing Admission to the Bar of Maryland.
4. Once printed, the administrative assistant will place the letter/envelope in your mailbox. You are responsible for signing the letter, making a copy of the signed letter for the file, and placing the envelope in the outgoing mail bin located on the second floor of the Clinic.
5. If the clinic administrative assistant is out of the office, do not hesitate to ask one of the other clinic administrative assistants for help: Terry Berk (2nd floor), Deborah Thompson (room 433), Brittney Martinez (room 429), or Roz Williams (room 412).

REIMBURSEMENT:

1. You will be reimbursed for all clinic related work. Please submit a Reimbursement form (parking, mileage use, court document copying, etc.) at the end/beginning of each month along with **RECEIPTS** to the administrative assistant. You must provide a receipt in order to be reimbursed. This is a requirement by the University of Baltimore. The administrative assistant will complete the form and will call, email, or place in your mailbox for signing. ***Reimbursement checks will be mailed to the current address you have on file with the Registrar's Office. Also, if you have direct deposit with the State for anything (research assistant, receive financial aid, student worker, etc.) your reimbursement will be deposited directly into your bank account.*** Please make sure you check your account for reimbursement payments. Reimbursement Forms are located in the student directory folder on the R-drive.
2. Please print out **MAPQUEST** directions for mileage for clinic related travels not included on the form. You will not get reimbursed for miles originating from your home; it must be from the clinic to client's home, Annapolis, etc.

SUPPLIES:

1. If you need specific supplies ask the administrative assistant. Supplies are for clinic use only.

Appendix 7: PANOPTO

First time use:

1. Go to website <http://panopto.ubalt.edu/Panopto/Pages/Default.aspx> and login to the website.
2. You should see all the folders that you have access to on the left hand frame, including: Public, your Clinic folder and any other classes that you may have access.

To record:

1. Log into computer (in the interview rooms, the computer display is through the mounted TV). Click the Panopto Recorder icon on the desktop, or go to the website directly, and login:
 - a. Confirm server: panopto.ubalt.edu (not “Panopto”)
 - b. Enter username with CIS in front of it: cis.ubalt.edu\IDXY99XY
 - c. Enter your network password (for your UB ID): REAL_PASSWORD
2. First time users will default to FOLDER for OFFLINE RECORDING.
3. Click the  to select the proper folder to store the recording. You should select the name of your Clinic.
4. Click the ‘Add New Session’ button.
5. Edit the name of the session name by adding your name and clinic identifier (CAC, CDC, etc.) after your name but leave the date/time label.
6. Confirm that you see video.
7. Confirm that the audio meter is working and that the Microphone HD setting is selected.
8. You only need the Video as the Primary Source and can close out any other windows that may be open at the bottom of the screen (for recording desktop display modules).
9. Click Record.
10. You can pause, start and stop from that screen as well.
11. Once recording has started. Select Blank Screen from the IPAD controller to black out the recording on the TV.
12. When finished. Stop recording and log out. Do not shut down the computer so the file can upload to the web. The recording will upload automatically to Panopto for viewing on the website.

To view:

1. Go to website <http://panopto.ubalt.edu/Panopto/Pages/Default.aspx> and login to the website.
2. Access the folder where you saved the recording and click the “play” icon to view.

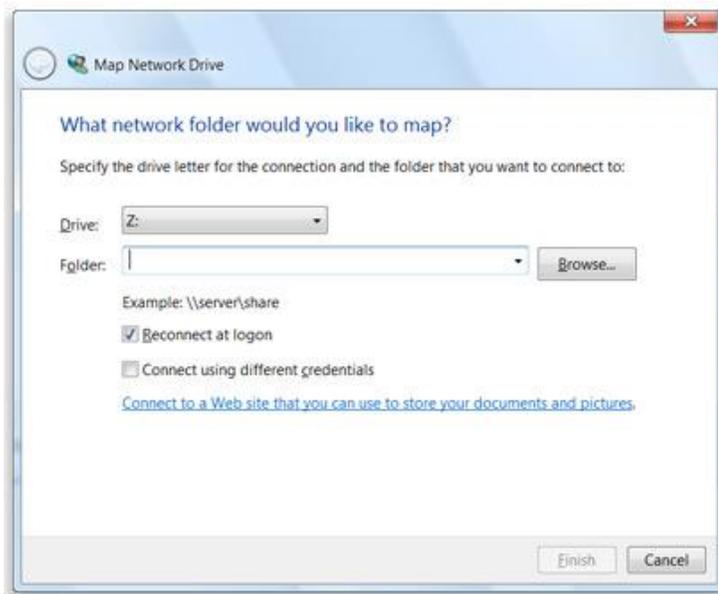
Appendix 8: MAPPING THE R-DRIVE & ADDING CLINIC PRINTERS

How to Map the R:\law_clinic\students folder

You need to create a shortcut to a shared folder on the network (also called mapping a network drive), so you can get to it from Computer or Windows Explorer without having to look for it or type its network address each time.

1. Open Computer by clicking the Start button , and then clicking Computer.
2. Click Map network drive, in the middle of the top toolbar..

The Map Network Drive dialog box



3. In the Drive list, click the R: drive letter.
4. In the Folder box, type the path of the folder `\\cissv0\department\law_clinic\students`

To connect every time you log on to your computer, select the Reconnect at logon check box.

5. Click Finish.

Your computer is now connected, or mapped, to the network drive.

NOTE: If you plan to scan documents using the Clinic copiers, you will repeat the process but map to the following:

In the Drive list, click the T: drive letter

In the Folder box, type the path of the folder \\cissv0\share\Law_Clinic_Student_Copiers.

How to Add a Clinic copier/printer:

1. Open Computer by clicking the Start button , and then clicking Devices and Printers.
2. Click 'Add a Printer' on the top toolbar.
3. Choose 'Add a Network Printer.'
4. Choose 'The printer I want isn't listed.'
5. Choose 'Find a printer in the directory.'
6. Select either 'Clinic2' or 'Clinic3' from the list and click OK.
7. The printer will install itself. If you wish to print to this printer as a default, please make sure that check box is selected before finishing the Add a Printer Wizard.

Appendix 9: Sample AGENDA

Weekly Supervision Agenda/Task List Memo

TO: Team Members and Supervisor
FROM: Susy Smith
DATE: July 15, 2015
RE: Agenda for August 24, 2015 Team Meeting

Client #1: Mr. Buck Johnson

Goal 1: Increase disability rating for PTSD from 30% to 50%

Due 9/15: Complete Case Planning Chart

Due 10/15: Draft #1 of brief in support of claim

Due 10/23: Draft #2 of brief in support of claim

Due 10/30: Submit claim to VA

Goal 2: File new claim for hearing loss

Due 9/15: File Notice of Claim

Due 10/15: Collect evidence to support claim

Due 10/30: Draft #1 brief in support of claim

Due 11/7: File claim

- **TASKS ACCOMPLISHED LAST WEEK**
 - Reviewed retainer agreement and verified counseling is within scope of agreement.
 - Researched procedure for increasing disability rating for Post-Traumatic Stress Disorder.
 - Requested supporting medical documentation from Mr. Johnson's primary care physician.
 - Drafted memo on procedures for increased disability rating for PTSD.
- **AGENDA FOR SUPERVISION/QUESTIONS**
 - I have not been able to obtain an affidavit from Mr. Johnson's witness. How do I best accomplish this? What are the next steps?
 - We have requested a status update from the local VA office but have not received an answer in more than 6 months. How do we obtain an answer from the VA?
 - My client will not come to Baltimore for a psychological evaluation because large cities trigger his PTSD symptoms. How do we obtain a mental health evaluation without upsetting the client?
 - Mr. Johnson will not return my calls. I need to reach my client to continue work on this case. How can I contact my client?
- **TASKS TO DO THIS WEEK**
 - Contact witnesses and obtain affidavits from Mr. Johnson's witnesses.
 - Draft memo requesting an increased disability rating for PTSD.

- Meet with supervisor to discuss/review increased disability rating memo.

Client #2: Ms. Julia Gulia

Goal 1: Increase disability rating for depression from 30% to 50%

Due 9/15: Complete Case Planning Chart

Due 10/15: Draft #1 of brief in support of claim

Due 10/23: Draft #2 of brief in support of claim

Due 10/30: Submit claim to VA

TASKS ACCOMPLISHED LAST WEEK

- Reviewed transfer memo and research in case file.
- Researched procedure for appealing an adverse initial rating decision.
- Requested claims file from the VA.
- **AGENDA FOR SUPERVISION/QUESTIONS**
 - There are multiple forms for obtaining records from the VA. Which should we use?
 - I completed my research for appealing an adverse initial rating decision. Is it better to file the Notice of Disagreement (NOD) now or wait for Ms. Gulia's medical evaluation so we can include her evaluation result in the NOD?
 - Ms. Gulia has other potential claims. Can we represent her on those claims?
- **TASKS TO DO THIS WEEK**
 - Complete NOD and draft memo in support of NOD.
 - Meet with client to discuss further claims related to service-connected disabilities.

Policy Project: Maryland Veterans Education and Training Center

Due 9/15: Establish planning meeting schedule with MCVET

Due 10/15: Draft #1 of Presentation

Due 10/23: Moot Presentation to MCVET

Due 10/30: Submit Counseling Assignments and Schedule to Hugh

- **TASKS ACCOMPLISHED LAST WEEK**
 - Contacted MCVET and discussed availability of personnel for meetings.
- **AGENDA FOR SUPERVISION/QUESTIONS**
 - What is the best format for the presentation?
 - What resources should we include in the presentation?
 - What topics should be included?
- **TASKS TO DO THIS WEEK**
 - Meet with supervisor to discuss formats for presentations, and specifically whether we should use PowerPoint.
 - Contact MCVET to ask about A/V equipment.

Appendix 10: Sample Claims Summary

Joe Veteran Summary of Claims

Document Requests:

- 7/29/14 C-File requested
- 7/29/14 Medical records requested
- 7/29/14 Military personnel file requested
- 9/4/14 Medical records received
- 10/1/14 C-File received
- 12/9/14 Military personnel file received

You should have requested client's C-File, Medical Records, and Personnel Records. Record when you requested and received these records.

PTSD: Service Connected with 30% rating

- 2/27/12 claim filed at Baltimore VARO
- 7/5/12 claim denied
- 1/16/2013&6/18/2013 statements in support of claims filed
- 6/18/13 NOD filed
- 3/26/15 VA Form 21-0781 submitted to VA Evidence Intake Center
- 5/14/2015 claim granted for service-connection with 30% rating

Name the disability and service connection rating. Record all significant filing dates and responses from the VA.

Left Foot Pain (USC 1151)—WE DO NOT REPRESENT VETERAN ON THIS CLAIM

- 12/21/12 claims filed
- 8/16/13 claims denied
- 4/29/2013 statement in support of claim filed
- 7/29/14 NOD filed
- 2/24/15 DRO requested
- 3/26/15 DRO hearing requested

List all client's claims, including claims on which we do not represent client. Designate that we do not represent client on these claims.

TDIU Not currently service-connected

- 1/16/2013 claim for increased compensation based on unemployability
- 8/12/2013 claim denied
- 7/29/2014 NOD filed; DRO hearing requested

If client is not currently service-connected, designate as such next to disability.

Multiple Non-Compensable Service Connected Injuries

- 12/21/12 claims filed
- 8/16/13 claims denied
- 4/29/2013 statement in support of claim filed
- 7/29/14 NOD filed
- 2/24/15 DRO requested
- 3/26/15 DRO hearing requested

List client's total disability rating for all claims, including claims for which we do not provide representation.

Current Total Disability Rating: 30%