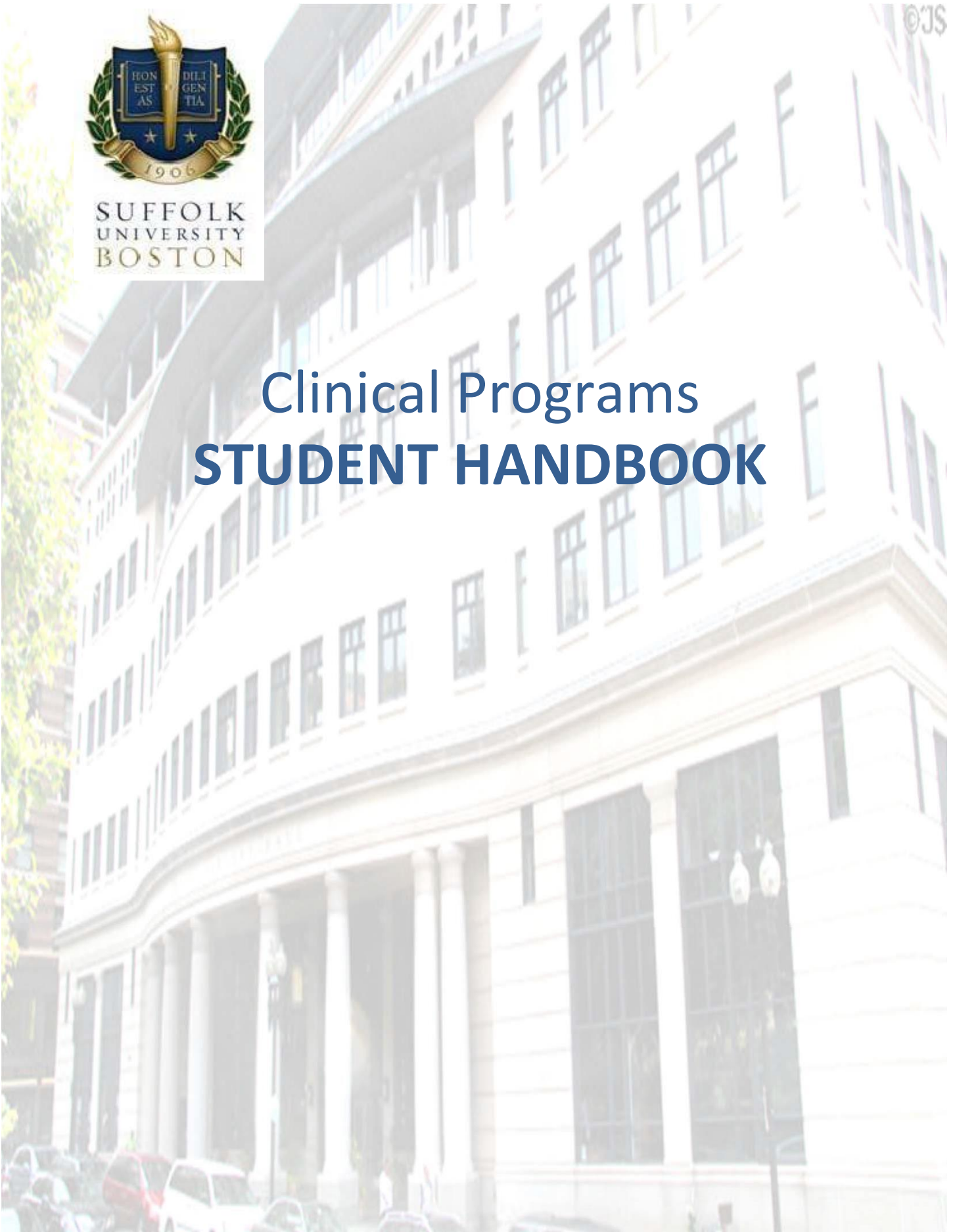




SUFFOLK
UNIVERSITY
BOSTON

Clinical Programs **STUDENT HANDBOOK**



CIVIL LAW CLINICS

Accelerator - William Berman, Clinical Professor & James Matthews, Clinical Fellow
Family Advocacy – Maritza Karmely, Clinical Professor & Chris Butler, Practitioner in Residence
Health Law – Sarah Boonin, Clinical Professor
Immigration Clinic – Ragini Shah, Clinical Professor
Indigenous Peoples Rights Clinic – Nicole Friederichs, Practitioner in Residence
Intellectual Property & Entrepreneurship Clinic – Loletta Darden, Assistant Clinical Prof.
Supreme Court Clinic (Spring Semester) – Jeffrey Pokorak, Professor of Law

CRIMINAL LAW CLINICS

Innocence Clinic – Shira Diner, Clinical Adjunct Professor
Juvenile Defenders Clinic - Kim McLaurin, Clinical Professor &
Joshua Reuling, Clinical Fellow (Fall 2018) Vanessa Hernandez, Clinical Fellow (Spring 2019)
Suffolk Defenders - D. Christopher Dearborn, Clinical Professor

CLINICAL EXTERNSHIPS

International Externships
Civil and Judicial Externship Program - Bernadette Feeley, Clinical Professor
Prosecutors Program - Christina Miller, Assistant Clinical Professor

HOUSING DISCRIMINATION TESTING PROGRAM

Nadiyah Humber, Clinical Fellow
Jamie Langowski, Clinical Fellow
Catherine LaRaia, Clinical Fellow

Kim McLaurin, Associate Dean/Director of Clinical Programs & Clinical Professor
Sarah Boonin, Associate Director of Clinical Programs & Associate Clinical Professor

ACCELERATOR PRACTICE SUITE 110

Ana Vaquerano, Accelerator/HDTP Coordinator

617/305-1649

FAX – 617/305-1681

CLINICAL SUITE 160

Geraldin Batista, Clinical/Experiential Staff Assistant

617/305-3200

FAX – 617/305-1620

CLINICAL SUITE 150

Joan Luke, Program Manager

617/573-8100

FAX - 617/742-2139

CLINICAL SUITE 150

Vivian Rosado, Clinical/Externship Staff Assistant

617/573-8049

FAX – 617/742-2139

TABLE OF CONTENTS

I.	INTRODUCTION	4
II.	GENERAL OFFICE INFORMATION AND PROCEDURES	4
1.	Main Doors/Interview/Conference Rooms	4
2.	Check-in & Out Whiteboards	5
3.	Student Work Areas	5
4.	Phones/Voice Mailbox & Collect Calls	5
5.	Incoming/Outgoing Mail	6
6.	Hand Pick-Up/Drop Off	7
7.	Student Computers/Printers	7
8.	Office Supplies	7
9.	Letterhead/Business Cards	7
10.	Photocopier/Scanner	7
11.	Fax Machine	8
12.	Shredders & Shred Bins	8
13.	Reference Books	8
14.	Student Refrigerator/Kitchenette Area in Suite 150	8
15.	Holidays/Break Coverage	8
III.	CLIENT/CASE RELATED INFORMATION	9
1.	Formal Requirements to Begin the Year	9
2.	Time Commitment	9
3.	Eligibility/Representation of Clients	10
4.	Conflicts	10
5.	Confidentiality	10
6.	Clio	12
7.	Professional Attire/Manner	13
8.	Case File Cabinets	13
9.	Technological and Investigative Resources	13
10.	Notary Services	13
11.	Reserving Rooms	14
12.	Check-in Clients/Visitors	14
13.	Interpreteration/Translation	14
14.	Reimbursement	14
15.	Constable/Summons Service/Investigation	14
16.	Court Report/Deposition Services	15
17.	End of Year Protocol	15
IV.	ACADEMIC EVALUATION/GRADING CRITERIA	16

I. INTRODUCTION

Welcome to the Suffolk University Law School Clinical Programs! We look forward to working with you this year. The purpose of this handbook is to familiarize students with the office procedures of the in-house Clinical Programs. This handbook should answer most questions about the office. It also includes important documents as appendices addressing policy and procedure of good practice as well as academic guidelines. The Appendices should also be read carefully as these include more detail than what is outlined in the main section. Your Clinical Professor/Practitioner/Fellow will provide you with additional procedures for your specific clinic. For general rules, regulations and policies of Suffolk University Law School, students should refer to the most recent Suffolk University Law School Rules, Regulations and Policies Handbook.

The Clinical Programs Offices are located in Sargent Hall, Suites 150 & 160. There is also additional student workspace/conference room in Clinical 165. The Accelerator Practice is in Suite 110.

Participation in a clinic is a unique educational experience. We hope that you have an enjoyable and rewarding year!

II. GENERAL OFFICE INFORMATION AND PROCEDURES

1. Main Doors/Interview/Conference Rooms

The Clinical Programs main office spaces (Suites 150, 160); Accelerator Practice (Suite 110) are open Monday through Friday. The main doors of these offices are unlocked during business hours. Clinical 165 is kept locked at all times. Students who are enrolled in clinics will be listed with Suffolk Security as having access to the main Clinical Programs Office which includes individual interview room and the Clinical 165.

For after hours use, all clinical students are given a Student Security Code Number which will open both the main Clinical keypad doors. **THIS CODE IS FOR CLINICAL STUDENT USE ONLY!** It is very important the Clinical Programs Office be restricted to **CLINIC STUDENTS ONLY**. These Clinical Offices contain **confidential files and client related information is discussed**. Students who are not enrolled in clinics should not be working in the space at any time either during or after hours. Please do not give the security code number to friends or classmates who are not participating in a clinic. If you forget the code or need access to a locked room that you are authorized to use, please see Suffolk Security at the entrance to Sargent Hall or call 617/305-8333 for assistance.

There are five interview/conference rooms located between Clinical 150, 160 & 165 which are suitable for client meetings. These office doors are kept unlocked. There is a calendar book located outside each of these rooms for reservation purposes. When setting up a client meeting, please make sure an interview room is reserved in advance whenever possible. If the room is not in use for interviews, students may work in these spaces. The use of these rooms for client meetings, however, **will always take precedence** over the use of these rooms as student work space.

2. Check-in & Out Whiteboards

Clinical Faculty/Staff are listed as well as each clinic with student names in alphabetical order on a Check In/Out whiteboard adjacent to or in the reception areas. It is **VERY IMPORTANT & HELPFUL** to check in and out on this board. Checking in/out assists staff in locating you for incoming calls and client meetings. Please make note on these whiteboards the location you may be working from and any relevant notes regarding schedule. Clinic students can work in any of the available workspace located between the three locations of 150, 160 & 165. Accelerator students also have access to Suite 110.

3. Student Work Areas

The Clinical Programs Office space is considered the professional work environment of a law firm. Students are encouraged to spend as much time as possible in the Clinic Office. It is important students conduct themselves professionally as in a place of business keeping in mind that others around you are meeting with clients, making phone calls conducting law related business. Please be considerate of each other by cleaning up and not leaving behind personal possessions if you are away from the office for an extended period. Clinical does not have enough room to allow for personal storage of possessions (i.e. books, bags, clothes). Remember students from all full-year clinics are sharing space and resources. Although there is a lot of space, there is not enough to allow personal designated space for each student.

Client files and work should be returned to appropriate file cabinets never left around any of the Clinical Student areas overnight. **ALWAYS REMEMBER TO BE CAREFUL WITH YOUR VALUABLES AND PUT ALL CLIENT FILES AWAY IN THE APPROPRIATE CLINIC LOCATION!**

4. Phones/Voice Mailbox & Collect Calls

Phones are available in student areas and interview rooms. Please dial (9) for an outside line when making calls outside of the University system. If you should need to call outside of the country please see a staff member.

Students should provide **only** the main numbers of the Clinical Offices (617/573-8100; 617/305-3200; 617/305-1649) to clients, etc. During business hours, if you are here when a call comes in for you, it will be transferred to the phone nearest where you are working which is why it is important to post on the whiteboard your location. If you are not in the Clinical Programs Office to take a call, it will be transferred directly into your voice mailbox.

If calls come in after hours, callers are prompted to enter an extension to be transferred. Each student is assigned a voice mailbox extension number. This number should be provided to callers so messages can be left after closing or on the weekends.

It is very important to set-up voice mailbox and don't forget the security code you set. Notification is also made to student Clinical Suffolk email at the time a message has been left. Please note that messages need to be deleted not only from email but also the box itself via calling into the system. The voice mailbox can be accessed from inside or outside of the law school at any time by dialing 617/305-3000. Students are advised to seek the advice of their professor regarding giving their personal cell phone number to clients, etc. Detailed instructions on voice mailboxes can be found in Appendix 2.

The office accepts collect phone calls from clients who are incarcerated. Students with clients who are being held in any type of facility should post on the WHITEBOARD days and times when they will be present in the office. Knowing your schedule allows us to tell clients when to call back. We will take one call a day per client if you are not here and put it through to your voice mail box so a message can be left for you, however, we will not accept another call that day if you are not here.

5. Incoming/Outgoing Mail

THERE IS NO MAIL SERVICES LOCATED IN SARGENT HALL-IT IS LOCATED ACROSS THE STREET ON THE 2ND FLOOR OF 73 TREMONT.

Clinical 150 is the only mail drop off/pick-up location for all FIRST CLASS MAIL. All outgoing first class mail should be left in the outgoing mailbox in that location for Mail Services to pick-up. Mail Services will pick up outgoing mail in the morning during the mail drop before NOON from CLINICAL 150 ONLY.

All other overnight mail or mail that requires special services must be accompanied by a MAIL REQUEST FORM. Please note the request form must be completed in its entirety. All overnight mail and mail requiring special services must be brought in hand by the requestor to 73 Tremont Mail Services Office, located across the street on the 2nd Floor. The special services include:

- *Registered
- *Certified which provides a mailing receipt
- *Return Receipt Requested
- *Overnight Delivery - Overnight mail needs to be at 73 Tremont Mail Services by 3:30 to

be sent out. Please note Federal Express & DHL will not deliver to a PO Box - Express mail is the only option.

*Same day courier service (special circumstances with approval).

PLEASE SEE A STAFF PERSON TO ASSIST YOU WITH THIS PROCESS:

6. Hand Pick-Up/Drop Off

Items can be left on the counter in the pick-up rack in Clinical 150 at the front desk or dropped off here during office hours. **DO NOT ASK SUFFOLK SECURITY TO HOLD ITEMS OR HAVE ITEMS LEFT THERE AT ANYTIME.**

7. Student Computers/Printers

There are computers available for student use in the Student Work Areas of 110, 150, 160 and 165. Clinic computers are to be used ONLY BY CLINIC STUDENTS. These computers are for VDI access only. Please be mindful of fellow clinic colleagues and if there is ever a shortage of available computers – CLINIC WORK TAKES PRECEDENCE. Please be selective about what you print. Printing jobs are to be restricted to clinical related work. All printers are being monitored for excessive use.

8. Office Supplies

There are common office supplies available for clinical student use located in the open Student Work Areas of Clinical Programs. The staff keep these areas re-stocked on a regular basis. If at any time there is something you need that is not there; please let them know. These are items which are commonly used by all clinics. Like most offices, Clinical Programs has a limited budget. Unfortunately we are not able to order everything we might like to have, but we keep the most necessary items on hand. Specific items related to specific clinics will be kept in the top drawer of each clinic's five-drawer lateral file. Please take only the supplies you need to perform your clinic responsibilities and if supplies are running low/empty please see a staff person for re-stocking.

9. Letterhead/Business Cards

Each clinic has its own letterhead and business cards. The business cards have a line for a student to write in his/her name and voicemail extension number (for calls that come in after hours). Students should be using these business cards only for clinic related work and should not be creating any other personalized cards in substitution of what is provided.

10. Photocopier/Scanner

There are Ricoh copier machines located between Clinical 150 & 160 & Accelerator 110. Students are responsible for making their own copies. Please be selective about what you print. Printing jobs are to be restricted to clinical related work. All copiers are being monitored for excessive use. If you need assistance with machine problems such as paper jams or toner, etc.

that needs replacement, please see a staff person for assistance.

These Ricoh copiers are also scanners. You can email the document to yourself and it will appear in your Inbox as a donotreply@suffolk.edu . Student emails have been added to the address book on the copiers.

11. Fax Machine

Two fax machines are located in the Student Areas of the Clinical Programs Office. The fax numbers for Suite 150 is 617/742-2139; Suite 160 617/305-1620 and *Suite 110 617/305-1681 *Fax is on the Ricoh Copier. When sending out a fax, dial 9 to get an outside line and then the number including area code. Place the document to be faxed face down. It is recommended you complete a cover sheet with each fax. Blank cover sheets can be found near the fax machine. Please give all incoming faxes to the person addressed to, a staff person for distribution or leave them in the fax machine.

12. Shredders & Shred Bins

There are shredders & shred bins available in 150 & 160. It is important to shred all confidential client information. Items can be deposited directly into the locked shred bins which are then shredded by an outside vendor.

13. Reference Books

There are a limited number of books related to clinic work available for student use held in the Law Library on the 6th Floor in the Reserve section in a special section for Clinical. All registered Clinical students have access and can check books out with student ids.

14. Student Refrigerator/Kitchenette Area in Suite 150

There is a kitchenette area in Suite 150 on the 140 side of the office for students. All Clinical students can use this area. PLEASE CLEAN UP AFTER YOURSELF. Students are responsible for their own items. The refrigerator is the responsibility of all students. PLEASE KEEP IT CLEAN AND TOSS OLD FOOD!!!

15. Holidays/Break Coverage

There is no office coverage on the traditional Monday holidays and the Thanksgiving break. Also the University and Law School also closes during the December holiday season between December 23 and January 2nd and there will be no office coverage. Faculty and students continue to have access to the Clinical Programs Office. Mail Services opens on a limited schedule with mail being delivered and left in a box on the front counter. Students can check the

box for their mail if they come into the office. The voice mail of the main numbers is checked on a regular basis, forwarding any messages to voice mailboxes. The University and Law School are open during spring break and there is office coverage.

III. CLIENT/CASE RELATED INFORMATION

1. Formal Requirements to Begin the Year

All registered Clinic students must complete the following three requirements prior to the start of classes:

- The appropriate SJC Rule 3:03 form (Student Practitioner Form or the Amendment Form) is submitted to the Clinical Programs Office to be processed by the Dean's Office for Rule 3:03 certification prior to the start of classes. Every student must be in good academic standing as provided by the law school catalogue/student handbook at the beginning of the clinical program in order to be certified to appear in court. If students are concurrently enrolled in either Evidence or Trial Practice it is important a successful grade of "C" or better be achieved in order for Rule 3:03 status to continue. Students will be given a copy of the letter received from the Supreme Judicial Court verifying their status to appear in court under Rule 3:03. All students are to keep a copy of this letter for reference. All students must read Supreme Judicial Court Rule 3:03 and the Order Implementing Supreme Judicial Court Rule 3:03. Please see Appendix 3 and 4 for a summary of Rule 3:03 in civil and criminal cases.
- Complete an In-House Clinics Conflicts of Interest Form to determine if there are any real or potential conflicts of interest that would jeopardize the confidentiality and loyalty required if you are enrolled in the Suffolk University Law School Clinic Programs (SLC). Throughout the academic year it is a student's obligation to submit any updates or changes to Clinical Faculty/Administrators. The policy and procedures concerning these potential conflicts of interest arising from student employment are outlined in detail. Please see forms/policy related to such conflict.
- Watch all Clio training videos which can be found in your clinic drive.
- Sign and submit to Clinical Faculty the *Student's Acknowledgement of Guidelines & Responsibilities* - Appendix 8

2. Time Commitment

All students are expected to be prepared to accept responsibility for cases assigned to them from the first day of classes in the fall semester until the last day of exams in the spring semester. The commitment entails a minimum average of 13-15 hours per week including two hours of class, though actual weekly hours will vary at times during the year. The time commitment may be far greater and students are required to expend the time necessary to prepare for high quality

representation of the clients. In most clinics, students will bear primary responsibility for investigation, interviewing, client counseling, planning, negotiation, analysis, research, and written/oral advocacy. Students are expected to be available during holidays, exam periods, mid-year and spring breaks unless otherwise arranged in advance with your Clinical Professor's approval. Your Clinical Professor will provide you with details regarding specifics on caseload number, supervisory meetings, and other responsibilities.

3. Eligibility/Representation of Clients

Clients come from a variety of sources depending on the clinic including district court, agencies and in-house client referrals. In some instances, you may be required to refer to the Income & Eligibility Guidelines which can be found at

<https://www.masslegalservices.org/content/federal-poverty-guidelines-2017>

Please note these guidelines are adjusted yearly in January.

4. Conflicts

Clinic students are required to know and adhere to the Massachusetts Rules of Professional Conduct (Mass.R.Prof.C.).

- Conflict with employment past, present or future as addressed above under *Formal Requirements* requires students be ever mindful of potential conflicts which could arise through work related opportunities whether paid or unpaid. Students need to be aware of continued responsibility to assure outside commitments are not in conflict with clinical cases. If at any time during the course of the academic year a student becomes involved with legal work outside of the clinic it is important to review the policy in Appendix 6 and seek guidance from the Clinic Professor/Supervisor.
- Conflict with prospective new clients need to be considered when a new case/client is considered. Conflict checks need to be conducted to ensure identification of any potential conflict and how it may be addressed. Again this is addressed in detail in Appendix 6

Conflict checks of both the above are handled through specific procedures outlined in Appendix 6 by running Conflict Checks in the case management system of Clio.

5. Confidentiality

The duty of confidentiality is a central aspect of the ethical representation of clients. The obligation of confidentiality under the Massachusetts Rules of Professional Conduct applies to both information protected by the attorney-client privilege and information learned in the professional relationship regardless of source (i.e., from a source other than the client). Absent client consent, all information relating to representation should be treated as confidential.

The Suffolk in-house Clinical Programs operate as one law firm with distinct representational divisions. Confidentiality is strictly required within the Clinical Programs and students must not divulge any client confidence to anyone who is not an employee or student in the clinic. Additionally, it is important to maintain client confidentiality within each specific clinic unless the relevant Clinical Professors responsible for supervision determine it is necessary to share information or confidences in a particular case. No confidential information may be disclosed to anyone outside the clinic without the informed consent of the client.

Due to the importance of security and confidentiality special clinic emails are issued by the University. Once these emails are issued all communication related to clinic is via this email. In recognizing the importance of maintaining confidentiality, it is advised to keep the following in mind:

- Do not leave case files unattended in the office. When finished working on a file remember to return to the file cabinet. Also please refer to specific clinic restrictions set by each Clinical Professor regarding the removal of case files from the office.
- In general, all phone calls or discussions regarding clients should be made in one of the Clinic offices or from another confidential location. Such calls or discussions should not be made in school hallways, the library or other public places. If you must make or take a call in a public place, be mindful not to say the client's name or give away identifying information on the call.
- All clinic business must be conducted using your **Clinic Suffolk email addresses**. Non-Suffolk emails are not to be used. "Forwarding" or "Bouncing" to other emails is **not** acceptable. Outside servers such as Gmail are not a secure method of handling confidential information.
- As all information in emails regarding clinic work is confidential it is required students add the following wording to the footer or signature of email:

This email message may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

- Enable security/pin code in "settings" in all personal devices used to check client-related emails and documents.
- When sending an email regarding a client matter, do not put the client's name in the subject line. This will ensure that others outside the clinics do not learn our clients' names. In addition, to the extent possible, do not read or send emails regarding clients unless you are sure you are in a location where the contents of the email cannot be seen.

- Save all case related **final** documents on Clio.
- Do not bring friends/non-clinic students into the working spaces of the clinic.
- Clients should only be in the working areas/interview rooms when accompanied by a student. Family and friends waiting for clients need to wait in the reception area if they are not participating in the meeting.

The matter of confidentiality will be discussed further by your Clinical Faculty/Supervisor and refer to Appendix 10 for further details on the above.

6. Clio

Clio is the case management system used by the civil and criminal clinics to maintain case information. It is important that all information be up-to-date and accurate as possible. Conflict checks are run through this system. Access to Clio on student computers/laptops/home is thru the VDI. . At the start of each school year, students are expected to familiarize themselves with using the case management system according to the procedures and policies set by Clinical Programs. **If you need extra assistance or have questions or problems at any time during the year please seek the guidance of faculty/staff.** Instructions/guidance regarding what is specifically required of each clinic is given by your professor. However, there are some requirements of all clinics.

- It is very important all new clients be checked for any possible conflicts as detailed in APPENDIX 6 *POLICY AND PROCEDURES CONCERNING CONFLICTS OF INTEREST*. Refer to the directions in APPENDIX 6 on completing the task of a conflict check in Clio and print the conflict check results out.
- New cases are opened by staff only (Ana, Geraldine, Joan or Vivian). **Give a COPY of the required case opening form with copy of conflict check results. Keep the original in the file.**
- **Please remember to update CONTACT INFORMATION - THIS IS VERY IMPORTANT** - phone numbers, addresses, etc. and add any new contact information regarding new people becoming involved with the case.
- All documents need to be saved either in the appropriate Clinic drive or on Clio.
- **WORD OF ADVICE** – Be conscientious about keeping up with entering notes, documents etc. – don't wait until the end of the semester to try and catch up!
- The documents in Clio should be exactly the same as those found in the client's paper file. Therefore, all hard copies should be scanned and uploaded to Clio and all electronic documents should be printed and placed in the paper file.
- **IF YOU HAVE ANY QUESTIONS AT ANYTIME REGARDING CLIO PLEASE DO NOT HESITATE TO ASK QUESTIONS WE ARE HERE TO ASSIST YOU!**

7. Professional Attire/Manner

Clinical students practicing under SJC Rule 3:03 are expected to conduct themselves at all times as in a professional manner working for a law firm. A professional appearance is always required for court (i.e., suit jacket and tie for men, suit dress or pants suit for women). Students should dress appropriately when meeting clients, opposing counsel, administrative agency/court personnel, or others in a professional capacity. Beyond appearance the following is expected:

- Make being on time a priority whether for court, meeting with client or supervisor. If for any reasons you will be delayed significantly or are unable to attend communicate this to client, supervisor etc. This should be in the form of a phone call, email or by contacting the main office staff person to make those aware of the situation. Whatever method of communication is appropriate given the circumstances.
- Respond to emails and phone calls professionally and promptly and in a reasonable timeframe.
- Be respectful of one another in the Clinical space by being mindful of those working around you and behave as you would in a professional office or law firm.
- Seek guidance from Clinical Faculty/Practitioners/Fellows if you are unsure of how to proceed, have questions or need something verified. No matter what stage in professional development seeking counsel of supervisors is beneficial.

8. Case File Cabinets

Each clinic has an assigned five-drawer lateral file. Files are to be kept in these assigned locations. The top drawer is used to hold related colored manila files to be used for that designated clinic. Please use only the files available for your clinic. (Given that there are so many students, this makes it easier to determine what case files belong to which clinic.) Please refer to your Clinical Professor's rules as to what order files should be kept for your particular clinic and the conditions under which files can be taken from the office.

9. Technological and Investigative Resources

There may be occasions when it is necessary to record interviews with clients or simulation exercises. Media Services is located on the 3rd floor of Sargent Hall, Room 330. Equipment can be reserved through the Media Services office. Blank cd/audiotapes are kept in the Clinical Programs Office to be used in these circumstances as well as for submissions to obtain copies of 911 tapes, surveillance tapes, etc. regarding a pending case. There is an audio tape player to listen to tapes located on top of the Defenders file cabinet. If you request a blank cd from Media Services, tell them you are in a clinic and ask them to charge the Clinical Programs Office.

10. Notary Services

The Clinical Staff are Notaries. Please see a staff member if you need to have documents notarized.

11. Reserving Rooms

Remember to schedule in advance an Interview Room to meet with your clients.

There are four interview rooms available to be reserved for clinic related work. If you have a meeting which is too large for either of these rooms, please see a staff person. There is a calendar book located outside each of these rooms for reservation purposes. When setting up a client meeting, please make sure an interview room is reserved in advance whenever possible. If the room is not in use for interviews, students may work in these spaces. The use of these rooms for client meetings, however, **will always take precedence** over the use of these rooms as student work space. Students are not to “go off” (i.e. to class, lunch etc.) leaving behind personal items holding space for their return. This applies to all work space (i.e. desk areas with computers etc.) throughout the Clinical areas of 150, 160 and 165.

12. Check-in Clients/Visitors

Front Desk Security should be notified before the arrival of scheduled appointments. In the case of unexpected clients/visitors Security calls the Clinical Programs Office and a staff person will meet the client and bring them to the Clinical Office to assist them.

13. Interpretation/Translation

In each of the clinics it has become common practice to require interpreters/document translation as we represent a diversity of cases. Predominately the language spoken for many of these cases is Spanish. We are fortunate in that Clinical has three staff (Ana Vaquerano, Geraldin Batista and Vivian Rosado) fluent in Spanish. **Arrangements should always be made in advance to schedule a time, and conference room for client calls/meetings.** An Interpretation/Translation Policy will be circulated. Please read it carefully and consult with your supervisor and Joan Luke if you have any questions.

14. Reimbursement

Students should never purchase or spend money expecting reimbursement without the prior consent of a Clinical Faculty member or the Associate Clinical Director. If you should receive approval, in order to obtain reimbursement you **must have the original receipt** and submit to Joan in Clinical 150. There is no reimbursement for MBTA or parking near the school. The University does not reimburse for rental or “zip cars”. There is reimbursement for cab fare in extraordinary circumstances only. In some instances with pre-approval in advance, a student may be reimbursed for mileage/parking on case related work that is at a distance from the Law School or other related emergency expenses. The signed reimbursement form Appendix 12 should be submitted to Joan **with original receipts** and/or print out of map for mileage purposes.

15. Constable/Summons Service/Investigation

Clinical Programs has an account with Suvalle, Jodrey & Associates for constable/summons service. The Defenders Clinic should use Cote Investigative Services for investigation. Cote’s services are covered by money allowed by the court which will be specified. All criminal clinic

students should speak with their Clinical Faculty/Supervisor for guidance. When calling to make arrangements for service, identify yourself as being with a Suffolk Law School clinic. **Check with your Clinical Professor or with the server you are using regarding questions pertaining to what needs to be done in your particular circumstance when completing paperwork. Please give any bills for Suvalle Jodrey you receive for service to Joan.**

Please complete the following instructions and email paperwork to be served by *Suvalle, Jodrey & Associates to documents@suvallejodrey.com

- List all instructions and include all relevant documents needed.
- Always include all your contact information and the name of supervisor/clinic.
- Call Suvalle, Jodrey & Associates if you have any questions.

SUVALLE, JODREY & ASSOCIATES
[States - Suvalle Jodrey & Associations](#)
617/720-5733

*Stephen Cote can be contacted at 617/821-8833 or cotepi@cs.com regarding investigative services for the Suffolk Defenders Clinic. Defender students need to consult with Prof. Dearborn before contacting Cote.

16. Court Report/Deposition Services

On occasion, a case may require a deposition or transcription of tapes. We do not have an account with anyone in particular as it is not something that occurs with any regularity. Over the years we have used the services of the following business <http://www.deposerve.com/>

EYAL Court Reporting, Inc.
617/723-9432
FAX: 617/608-5880

Students should make arrangements for court reports and depositions with the guidance of their professor. Please give any bills relating to services rendered to Joan for payment.

17. End of Year Protocol

After Spring Break in March the end of the spring semester approaches quickly. It is important to begin the process of getting ready to either transfer or close cases. How careful you are in doing this has consequences for your client, your Clinical Faculty, your successor and yourself. If students keep up with case management work on Clio this will be a fairly neat and speedy finish:

- All final documents should be saved in Clio for each client, and notes/calendar up-to-date regarding case activity.
- Paper files need to be put in order.

These tasks should be carried out as per the instructions provided by each clinic's supervisor. In addition letters are sent to clients regarding the transfer or closing of their case. With regards to closing a case it is important that specific language be cited in this final letter as to the long term holding of the physical/electronic file. Include the following language in civil closeout letters sample letter APPENDIX 15. This requirement applies to all clinics. CRIMINAL CLINICS (DEFENDERS & JUVENILE DEFENDER) NEED TO SEEK THE GUIDANCE OF THEIR SUPERVISOR REGARDING THE SPECIFIC LANGUAGE FOR THEIR CLOSE OUT LETTERS.

In the normal course, the *name of clinic* retains your file for seven years. After seven years, your file will be destroyed. If you would like a copy of your file now or at any time prior to the end of the seven year period, please let us know.

In this age of technology, you will also be responsible for ensuring you do not take any case-related data – or remnants of data – with you when you leave the Clinic. If you carefully comply with the ***Policies Regarding Document Security and Use of Technology***, including working only through the VDI, you should have no case-related information on any of your personal devices. That said, Clinical Programs and Suffolk University reserve the right to inspect your personal devices for case-related information, and if found, such information and all remnants will be removed or “scrubbed” from your devices (which may well result in the loss of other data and information on your devices).

Don't wait until the last week as exams are approaching, and for many of you, bar application deadlines and graduation.

IV. ACADEMIC EVALUATION/GRADING CRITERIA

1. Grading Criteria

Every clinic has essentially the same grading criteria. You may also receive additional grading details for your specific clinic from your clinical professor.

- Throughout the first semester you will be given formal and informal feedback. Mid-year at the end of the first semester, clinical professors will meet with students to provide summary evaluation of performance. This evaluation provides an opportunity to assess strengths and note weaknesses which will enhance the clinical learning experience for the second semester. Students must be satisfactorily meeting the standards of the clinic as set forth in the Assessment and Grading Criteria Appendix 16. Your clinic professor will

work closely with you to provide you every opportunity to meet these standards and to support you as you learn new skills. If a student consistently fails to meet clinic standards, that student will not be allowed to continue to participate in the clinic in the second semester and may forfeit credit as a result. The clinic professor will make the final determination as to whether in his or her judgment the standards set forth in the Criteria have been met, and the decision will constitute a final grade under SULS's grading policies. If a student is required to leave the clinic after one semester, a grade of either credit or no credit will be given and Rule 3:03 certification is terminated.

- The criteria outlined in the Assessment and Grading Criteria Appendix 16 are what will be used to determine a final grade given at the end of the year and you will receive a written evaluation addressing each of the criteria.
- Clinical students are asked for feedback at the end of the year regarding their clinic experience in a specially designed evaluation form related to clinical coursework. Student comment and feedback is very important to the ongoing improvement of the programs offered. The process is designed to ensure anonymity and will not be shared with Clinical Faculty until after grades are given. This evaluation will be emailed to students the last two weeks of the spring semester electronically and are to be submitted to a staff person who will come into the last class to collect. Return of this evaluation is a mandatory requirement and students who do not return this form will not receive a grade.

Your clinical experience is an opportunity to put theory into practice. During the upcoming year you will have the opportunity to perform all the tasks of a lawyer under the direct and intensive supervision of a member of the law school faculty. You will be representing clients and grappling with the substantive legal issues, strategies, and ethical and interpersonal issues inherent to lawyering. In working on your cases as the lead “lawyer” but with close supervision, you will learn in a guided but self-directed manner that allows greater reflection on aspects of representation, how to improve your skills, and how to tackle new legal problems. The skills acquired will be practiced – such as interviewing and counseling clients, negotiating with opposing counsel and other parties, legal research and writing, navigating complex systems to further their clients’ interests, and courtroom advocacy – are transferable to any legal environment. You will be representing clients who otherwise would not have access to the legal system. This is the beginning of your career as an attorney practicing under SJC Rule 3:00

WELCOME TO CLINICAL PROGRAMS!
MAY THIS BE ONE OF YOUR BEST YEARS YET AT LAW SCHOOL!

IV. APPENDIX

1. Voicemail Instructions _____	Page 1
2. Mail Request Form _____	Page 2
3. Summary Rule 3:03 Civil _____	Page 3
4. Summary Rule 3:03 Criminal _____	Page 5
5. In-House Conflicts – Conflicts of Interest Form _____	Page 7
6. Policy & Procedures Concerning Conflicts of Interest _____	Page 9
7. Agreement Regarding Non-Disclosure of Confidential Information _____	Page 15
8. Student Acknowledgement of Guidelines & Responsibilities _____	Page 16
9. Instructions for Using VDI _____	Page 17
10. Policy & Procedures Concerning Conflicts of Interest Within _____	Page 21



12. Student Preapproval Request for Reimbursement _____	Page 26
13. Clinic Wide Case Opening _____	Page 28
14. Clinic Wide Closing Memo _____	Page 31
15. Client Case Closing Letter _____	Page 34
16. Suffolk Clinical Assessment & Grading _____	Page 35

APPENDIX 1

Suffolk University Voicemail Instructions

Setting Up Your Voicemail Account

To set up your new Voicemail account, do the following:

From Inside the University Dial: **3000**

From Outside the University Dial: **617-305-3000**

Enter your mailbox number:
(Last 4 digits of phone number)

Enter the default **security code 147258** when you log on to Voicemail system for the first time

Gaining Access to Your Mailbox

Follow these simple steps to start using Suffolk's Voicemail.

1. Call the Voicemail internal or external number.
2. You will need to do one of the following depending on the message prompt.
 - A. **PRESS # AND ENTER MAILBOX NUMBER.**
OR
 - B. **IT IS POSSIBLE YOU MAY NEED TO ENTER * # IF THE PROMPT ASKS FOR SECURITY CODE AND NOT MAILBOX NUMBER.**
3. If prompted, enter your mailbox number.
4. Enter a security code (or the default code of **147258** if this is your first time).

Performing Common Tasks

If you're looking for a quick hint on how to perform a specific task, read on.

Changes to Your Mailbox

<i>If you want to ...</i>	<i>Then enter ...</i>
Change your name recording	4 1 5
Change your out-of-office greeting	4 1 3 3 or 4 6
Change your password	4 1 4
Change your standard greeting	4 1 3 2 or 4 4

Getting Started

<i>If you want to ...</i>	<i>Then enter ...</i>
Listen to new voice messages	1 1
Listen to all voice messages	1 1
Listen to saved voice messages	1 5

After Listening to a Message

<i>If you want to ...</i>	<i>Then enter ...</i>
Forward the message to another subscriber	6
Delete the message	7
Reply	8
Transfer to a sender's extension	8 8
Transfer to a sender's outside number	8 4
Save the message	9



MAIL REQUEST FORM

Employee Name: _____

Faculty Suite/Office #: LAW CLINICAL PROGRAMS Extension: 617/573-8100

Date: _____ Time: _____ a.m. / p.m.

Please check one: ☐ 2-Day Mail

☐ Overnight Mail / NO signature requirement

☐ Overnight Mail / WITH signature requirement

☐ Overnight Mail with Saturday Delivery / NO signature requirement

☐ Overnight Mail with Saturday Delivery / WITH signature requirement

☐ International Mail

☐ Other _____ (please explain)

Recipient Name: _____

Street Address: _____
(please note that overnight mail cannot be sent to a PO Box)

City, State, Zip: _____

Phone: (_____) _____
**(please note that phone number is required for overnight mail)

Please send e-mail tracking information to:

_____@suffolk.edu

Budget (if different than the regular postage line): _____

Additional Notes/Instructions: _____

APPENDIX 3. SUMMARY OF THE APPLICATION OF S.J.C. RULE 3:03 IN CIVIL CASES

S.J.C. Rule 3:03, sometimes referred to as the “Student Practice Rule,” governs the circumstances under which law students can be authorized to represent either the Commonwealth or indigent parties in civil proceedings in certain courts of the Commonwealth.

In civil proceedings, only the following students are eligible for Rule 3:03 certification:

- Third year day students or fourth year evening students (students who have successfully completed their next to last year of law school) who have successfully completed or are enrolled in evidence or trial practice.
- Second year day students or third year evening students:
 - who are participating in a law school clinical instruction program and
 - who have successfully completed or are enrolled in evidence or trial practice.[Note: In the Appeals Court or the Supreme Judicial Court, where students may appear only with the permission of a justice of that court, in the discretion of an appellate justice, successful completion of or enrollment in a course in appellate practice may be deemed a substitute for a course in evidence or trial practice.]

Limitations on Receipt of Compensation

- Students may not receive any compensation from a client. Under Rule 3:03, this limitation on compensation is not construed to prohibit fixed compensation paid regularly by a governmental agency or legal assistance program employing the law student.

Limitations on Whom Students Can Represent

Students may only appear:

- On behalf of the Commonwealth, an agency of the Commonwealth, or
- On behalf of indigent parties in civil proceedings.

Authorized Supervisors

The rule is explicit about who is authorized to provide the supervision it requires.

If appearing on behalf of the Commonwealth or a subdivision thereof, the supervisor must be:

- A regular or special assistant district attorney;
- A regular or special assistant attorney general;

- A municipality's corporation counsel, a city solicitor or town counsel, or an assistant municipal counsel or assistant solicitor.

If appearing on behalf of an indigent party in a civil proceeding, the supervisor must be:

- A member of the Massachusetts bar assigned by the Committee for Public Counsel Services;
- A member of the Massachusetts bar employed by a non-profit program of legal aid, legal assistance or defense;
- A member of the Massachusetts bar employed by a law school clinical program.

Note: Any student representing a client under this rule must:

1. Advise the client that s/he is a law student;
2. Obtain written authorization from the client acknowledging that the client has been informed of the student's status and authorizing the student to represent him;
3. Have this authorization signed by the supervising attorney; and
4. File the document, along with the written appearance of the supervising attorney, with the court in which the proceedings are pending.

Limitations on Courts in Which Students Can Appear

Students may appear in civil proceedings only in the following courts:

- Any division of the District Court, Juvenile Court, or Housing Court Departments, or in the Boston Municipal Court Department;
- The Appeals Court, Supreme Judicial Court, Superior Court, Probate and Family Court, or Land Court only with the permission of a justice of that court;
- Before any administrative agency, provided such appearance is not inconsistent with the agency's rules.

Please note that this memo summarizes only the basic provisions of the S.J.C. Rule 3:03. Any student seeking to practice under the rule must read it in its entirety.

APPENDIX 4. SUMMARY OF THE APPLICATION OF S.J.C. RULE 3:03 IN CRIMINAL CASES

S.J.C. Rule 3:03, sometimes referred to as the “Student Practice Rule,” governs the circumstances under which law students can be authorized to represent either the Commonwealth or indigent defendants in criminal proceedings in certain courts of the Commonwealth. Note: Only “senior” law students – that is, third year day students or fourth year evening students (students who have successfully completed their next to last year of law school) – who have successfully completed or are enrolled in Evidence or Trial Practice may be certified for student practice in criminal cases.

Limitations on Receipt of Compensation

- Students may not receive any compensation from a client. Under Rule 3:03, this limitation on compensation is not construed to prohibit fixed compensation paid regularly by a governmental agency or legal assistance program employing the law student.

Limitations on Whom Students Can Represent

Students may only appear:

- On behalf of the Commonwealth, an agency of the Commonwealth, or a municipality;
or
- On behalf of indigent defendants.

Authorized Supervisors

The rule is explicit about who is authorized to provide the supervision it requires.

If appearing on behalf of the Commonwealth or a subdivision thereof, the supervisor must be:

- A regular or special assistant district attorney;
- A regular or special assistant attorney general;
- A municipality’s corporation counsel, a city solicitor or town counsel, or an assistant municipal counsel or assistant solicitor.

If appearing on behalf of an indigent criminal defendant, the supervisor must be:

- A member of the Massachusetts bar assigned to represent the defendant by the Committee for Public Counsel Services;
- A member of the Massachusetts bar employed by a non-profit program of legal aid, legal assistance or defense;
- A member of the Massachusetts bar employed by a law school clinical program.

Note: Any student representing a defendant under this rule must, prior to acting or appearing for the client:

1. Advise the client that s/he is a law student;
2. Obtain written authorization from the client acknowledging that the client has been informed of the student's status and authorizing the student to represent him;
3. Have this authorization signed by the supervising attorney; and
4. File the document, along with the written appearance of the supervising attorney, with the court in which the proceedings are pending.

Limitations on Courts in Which Students Can Appear

Students may appear in proceedings only in the following courts:

On behalf of the Commonwealth, in:

- Any division of the District Court, Juvenile Court, or Boston Municipal Court Department.

On behalf of indigent defendants in:

- Any division of the District Court, Juvenile Court, or Housing Court Departments, or in the Boston Municipal Court Department;
- In the Supreme Judicial Court or the Appeals Court.

On behalf of either the Commonwealth or indigent defendants:

- With the permission of a justice of the Superior Court Department, in the Superior Court only on:
 - A motion for a new trial in the Superior Court, either after the time for direct appeal has expired or, if such an appeal has been taken, after the appeal has been decided by the S.J.C., or
 - A petition for review of bail under G.L. c. 276, sec. 58; or
 - An appeal for review of sentence in the Appellate Division of the Superior Court
- Before any administrative agency, provided such appearance is not inconsistent with the agency's rules.

Please note that this memo summarizes only the basic provisions of the S.J.C. Rule 3:03. Any student seeking to practice under the rule must read it in its entirety.

APPENDIX 5**IN HOUSE CLINICS - CONFLICTS OF INTEREST FORM**

NAME: _____

DATE: _____

The purpose of this form is to determine if there are any real or potential conflicts of interest that would jeopardize the confidentiality and loyalty required if you are enrolled in the Suffolk University Law School Clinic Programs (SLC). Therefore, please take your time to answer these questions thoughtfully and completely. (Attach additional sheets if necessary.) You are obligated to submit any updates or changes to this form while enrolled in the SLC.

1. Have you worked or volunteered for a law firm, legal services office, corporate legal department, governmental agency, a judge, or hearing examiner prior to applying for the SLC?

2. If yes, where have you worked? List all, starting with the most recent. Give dates and locations.

3. On what types of cases did you work at each location? (If your clinic supervisor determines that the types of cases are substantially related to the practice areas in the Clinical Programs, you will be asked to provide a full list of all matters on which you worked.)

4. Are you **presently** employed or volunteering at any offices listed in question #1 or are you planning on being employed or volunteering at any office during the semester?

5. If yes, where are you (or will you be) employed or volunteering?

6. On what types of cases are you (will you be) working on?

-
-
-
7. Please provide a list of all matters on which you are currently working.

-
-
-
8. Please state any entities to which you have applied for future employment, including law firms, legal services offices, corporate legal departments, governmental agencies, judges, or hearing examiners. If you have had any communication beyond sending your resume, please list them. (You do not need to include potential employers to whom you have sent a resume, but heard nothing further. If you hear from them subsequently, you are required to update this form.)

-
-
-
9. Are there any other personal, financial, or family interests that could present conflicts of interest for you in the clinic? If so, please identify them here.

-
-
10. Have you been enrolled in any other SLC program before?

[YES]

[NO]

11. If yes, please indicate the semester(s) in which you were enrolled, which clinic, and the location of your placement below.

-
-
-
12. Please state any other non-legal jobs, volunteer position or Board affiliation you will hold during the upcoming academic year or summer session while enrolled in the SLC.

Please Note: you have an obligation to conduct a new conflict check on any new matter you work on during the academic year.

APPENDIX 6

CLINICAL PROGRAMS POLICIES AND PROCEDURES CONCERNING CONFLICTS OF INTEREST

The policy and procedures set forth herein are intended to address actual and potential conflicts of interest arising from participation in the Suffolk University Law School Clinical Programs (SLC). The first goal of these procedures is to protect the interests of clinic clients. The second goal of these procedures is to allow clinic students to participate in the SLC to the greatest extent possible. The third goal of these procedures is to teach student attorneys to fulfill their ethical obligations in accordance with best practices.

Clinic students will be expected to review these policies and procedures, which are included in the Suffolk Law Clinic Handbook, and sign an *Acknowledgment of Guidelines and Responsibilities*.

I. Reporting Requirements and General Conflict Check Rules

1. Clinic students are required to **know and adhere to the Massachusetts Rules of Professional Conduct (Mass. R. Prof. C.)**. Conflicts of interest are governed by Mass. R. Prof. C. 1.7 – 1.11. Any clinic student aware of any potential conflict must immediately bring the matter to the attention of their supervisor(s). Students should be mindful that their conflict check responsibilities are a continuing obligation while enrolled in Clinic.

2. Supervisors in the SLC will distribute a ***Conflict of Interest Form*** to all new clinic students when they join the SLC. The purpose of this form is to gather information about past and current legal employment, as described below. Supervisors and clinic students will discuss potential conflicts at the start of the clinic and also as needed during weekly supervision meetings.

3. **Past Legal Employment:** Clinic students who have performed any prior legal work outside of the SLC must commit to working with their supervisor(s) to identify potential conflicts of interest.¹ In order to do so, student attorneys must maintain and provide a list of prior legal employers, as well as a list of all matters on which they worked and/or acquired confidential information relating to the representation. This information will be included in the *Conflict of Interest Form* and is for the purpose of identifying conflicts related to prior representation.²

4. **Current Legal Employment:** Student attorneys who work in a legal capacity *while* participating in the SLC must also guard against conflicts of interest. To do so, students must maintain and provide a list of all matters associated with their outside employment on which they have worked, continue to work, and/or about which they acquired confidential information relating to the representation. A list of such cases will be included in the *Conflict of Interest Form* and is for the purpose of identifying conflicts related to their representation of non-SLC clients during concurrent, outside legal employment.

¹ Clinic supervisors will make a determination of whether the student is “associated with” the outside firm in question and will instruct students regarding any further obligations under the Mass. R. Prof. C. Clinic supervisors are to use the analysis of “associated with” found in ABA Formal Op. 88-356.

² At the time of accepting a spot in the SLC, students were apprised of their obligation to maintain complete lists of past and current legal employment, cases on which they have worked, and cases about which they have acquired confidential information related to the representation.

II. Conflict Checks for Newly Assigned Clinic Clients

Students must ensure that there are no conflicts of interest involving any cases they have been assigned (including cases new to the clinic and ongoing clinic cases on which former students worked).³ ***Every time a clinic student takes on a matter that is new to them, the student must conduct an initial conflict check as described below.***

5. Internal Conflict Check against Existing and Former SLC Clients: This conflict check is designed to ensure SLC's representation of a new or current client does not conflict with our representation of another client, former client, or other person associated with SLC. Clinic students will run a conflict check in Clio for all prospective and new clinic cases, as well as all ongoing cases to which they are newly assigned. For this initial conflict check for new and newly assigned cases, students should identify all known relevant names associated with the matter including, but not limited to, clients, opposing parties, and potential witnesses. To conduct these searches, clinic students should put all of the first and last names identified into the search field in Clio, including conducting a search of the first and last names with variable spellings where warranted. This will ensure that all potential conflicts with current and former SLC clients and parties are identified.

Clinic students must print out a report documenting this conflict check, regardless of whether the Clio search returned any results. Clinic students must print a report for every name entered during the conflict check and bring the printed records to their clinic supervisor(s) for a discussion about whether there is a potential conflict and the appropriate next steps. This documentation must be appended to the Case Opening Form for new matters.

6. Conflict Check against Outside Employment: Clinic students must also make sure that there is no conflict between their newly assigned cases and cases on which they are working or have worked through outside employment, or about which they received confidential information through their outside employment. To run this aspect of the conflict check, students should check the names of their newly assigned clients against their most up-to-date list of former and current clients and cases from outside employment (those should be listed and updated in the *Conflicts of Interest Form*). Students should also ask their colleagues within their individual clinics to do the same - check the student's newly assigned cases against their colleagues' *Conflict of Interest Forms*.

7. New Individuals in a Matter: These conflict checks have to be performed with respect to all relevant parties to a matter including clients, opposing parties, and witnesses. When a student identifies new individuals relevant to a matter (e.g., witnesses), the student may need to conduct additional conflict checks against these new individuals. The student should discuss with his/her supervisor whether any additional conflict checks need to be done.

8. Documenting Conflict Checks for Newly Assigned Cases: As noted above in paragraph 5, clinic students should print out a report documenting the results of each conflict check conducted in Clio, regardless of whether a conflict was identified. This report should then be scanned and added as a PDF into the newly assigned matter in Clio. To the extent any potential conflicts were identified, the student should create a note in the newly assigned matter in Clio indicating that

³ For new clinic clients assisted as part of a limited assistance representation project ("LAR") or lawyer for the day programs, these procedures may not apply. Rather, pursuant to Mass. R. Prof. C. 6.5, students are instructed to decline representation in some LAR contexts only if either the student or his/her clinic supervisor knows that the representation would pose a conflict of interest. See Mass. R. Prof. C. 6.5(a) and (b) and relevant comments.

the student met with his/her supervisor regarding the potential conflict and reporting how the potential conflict was resolved.

III. Identifying “Imputed” Conflicts Related to Outside Employment⁴:

For those students who are or have worked in a legal capacity outside of SLC, there are additional conflict check requirements to avoid *imputed* conflicts – conflicts that pass from one lawyer in a firm to other lawyers in the same firm. In other words, just because neither you nor SLC has any conflicts associated with the cases on which you are working in your Clinic, doesn’t mean SLC as a large firm (with many Clinics) doesn’t have conflicts associated with your prior or current outside employment. This type of conflict check, which protects against imputed conflicts, should be conducted at the start of the year by any student who has worked on any cases in prior outside legal employment. For those who continue to work outside of SLC while participating in a Clinic, these conflict checks must be conducted periodically.

9. Imputed Conflict Checks against *Prior Outside Employment*: At the start of the school year, Clinic students will run a conflict check in CLIO for all clients he/she has represented outside of SLC or about whom he/she has acquired confidential information related to *prior employment outside of SLC*. This involves checking all of SLC’s clients (from all Clinics) against all names documented in the student’s *Conflict of Interest Form*. For this conflict check, students should identify all known relevant names associated with prior outside representation including, but not limited to, clients, opposing parties, and witnesses. To conduct these searches, clinic students should put the names associated with past outside employment into the Clio search field. Be sure to check different spellings if there are multiple ways a name can be spelled. Clinic students must print a report for every name that produces a result during the conflict check and bring the printed reports to their clinic supervisor for a discussion about whether there is a potential conflict and what appropriate next steps should be.

10. Imputed Conflict Checks against *Current Outside Employment*: *As noted in paragraph 18 below, all students working outside of SLC during their enrollment in SLC must first obtain the permission of their supervisors.* At the start of the school year, mid-year, and as needed thereafter, Clinic students concurrently working outside of Clinic will run conflict checks in CLIO for all clients he/she has represented, is currently representing, or about whom he/she has acquired confidential information, related to work through *current employment outside of SLC*. This involves conflict checking SLC’s clients (for all Clinics) against all names documented in the student’s most up-to-date *Conflict of Interest Form*. As students take on new cases or acquire information about new cases associated with *concurrent* legal employment outside of their clinic, they must run updated conflict checks in Clio against those outside names. For these conflict checks against outside employment, students should identify all known relevant names associated with outside representation including, but not limited to, clients, opposing parties, and witnesses. Clinic students should put these names into the Clio search field. Be sure to check different spellings if there are multiple ways a name can be spelled. Clinic students must print a report for every name that produces a result during the conflict check and bring the printed reports to their clinic supervisor for a discussion about whether there is a potential conflict and what appropriate next steps should be.

⁴ This part of the policy ensures that students who have had or currently have outside legal employment do not bring with them to our firm any conflicts of interest. The SLC operates as “one firm” for the purpose of conflict checking. Therefore, if a student in clinic A has represented a client in outside employment, clinic B may be prohibited from taking or continuing to represent a client in a related matter.

11. Documenting Conflict Checks for Imputed Conflicts: Clinic students should log these conflict checks related to outside employment in their clinic's "***Imputed Conflicts Log***," matter located in CLIO. An entry should be made via a "note" in the Conflicts Log matter confirming that the student ran a thorough conflict check against all outside employment and noting whether and to what extent the conflict check revealed any potential conflicts. Supervisors will review the Imputed Conflicts Log periodically to confirm that conflict checks have been properly conducted.

IV. Resolving Conflicts

12. Clinic students will meet with their supervisors concerning the results of their conflict checks. Supervisors will consult with the program administrator to determine what other clinics are implicated. Should a potential conflict be discovered, the student and her/his supervisor must take the appropriate remedial steps (see paragraph 13 below). If the potential conflict involves another clinic, the supervisors for each clinic shall meet and determine whether a conflict of interest exists.

13. In resolving conflicts, the faculty in the SLC will make every effort to reconcile the interests of the clinic student and client. Appropriate remedial steps may include: (a) declining representation of the prospective clinic client, (b) seeking informed consent from all effected clients, (c) withdrawing from the case, and only as a last resort, (d) discharging the clinic student from the SLC. In rare circumstances, the SLC may seek other means of resolving conflicts under the law including, but not limited to, screening the affected student from work in other clinics in potential inter-clinic conflicts or obtaining an opinion letter from the Board of Bar Overseers. "Screening" refers to shielding the affected clinic student from any personal participation in or access to the conflicted client matter and avoiding any discussion about the case with the clinic student to avoid inadvertent disclosure of the client's confidences.

V. Ongoing Duties Owed to Clients after Graduation

14. Students should be aware that they will owe an ongoing duty of loyalty to those clients they represented while enrolled in SLC, as well as those cases about which they acquired confidential information. This includes the duty to avoid conflicts of interests related to past representation of clinic clients and the duty to maintain client confidentiality. Students must carefully read and be aware of Mass. R. Prof. C. 1.9 and 1.10, or the equivalent in their local jurisdictions.

VI. Confidentiality Obligation of Clinic Students

15. Clinic students owe a duty of confidentiality to all clinic clients, and as a general matter cannot reveal information about clients to persons outside the firm. This duty of confidentiality survives the termination of the student's clinic student status. Please see the *Policy and Procedures Concerning Confidentiality within the Suffolk Law Clinical Programs* in this Handbook.

VII. Procedure for Clinic Students and Former Clinic Students to Provide Conflict-checking Information to Non-clinic Legal Employers

16. A clinic student (or former clinic student) who is asked for conflict-checking information relating to SLC clients, former clinic clients, or prospective clinic clients may as a general matter

provide an employer or prospective employer with a list of each matter personally handled by the student while participating in the clinic (including the names of any significant parties to the matter and a summary description of the matter), but *only on the condition that* the employer or prospective employer provides the SLC with a signed copy of the *Agreement Regarding Non-Disclosure of Confidential Information*, guaranteeing that the information provided for purposes of conflict checking will be kept confidential. The student shall not provide additional information, and if a clinic student (or former clinic student) is requested to do so, the student shall consult with his or her supervisor. The supervisor shall provide such additional information only upon a determination that the information requested is essential to running a conflicts check. A supervisor may also decline to provide requested information upon a determination that complying with the request (even such basic information as the name of a client) may materially prejudice the interests of the client or former client.

17. A clinic student who is simultaneously employed by a legal employer should make arrangements with his/her supervisor and his/her legal employer for the ongoing provision to both the SLC and the legal employer of such information necessary for both to perform conflict checks.

VIII. Clinic Students Seeking Employment or Internships/Externships During Clinic

18. Clinic students are prohibited from accepting any employment (paid or unpaid) at any outside organization or firm during their tenure as a clinical student without *prior* approval by both their Clinic supervisor(s) and, if deemed necessary by the supervisor(s), the Director of Clinical Programs.

IX. Conflict Check Example

Mary is a brand new student in the Family Advocacy Clinic (FAC) and has been assigned her first new case. Mary has a part-time job working at a local firm. Below is a summary of the actions Mary must take to ensure there are no conflicts of interest related to her work on the case:

- 1) Mary must first enter the name of her new potential client and all key parties/witnesses into Clio and conduct a conflict check against other clients of the Clinical Programs per Part II, Par. 5 of these policies. She must put the results of this conflict check in the case matter once it is opened, per Par. 8.
- 2) Mary must then check the names of the new client and key parties/witnesses against the names in her *Conflict of Interest Form* from prior and current outside employment, per Part II, Par. 6 of these policies. She must put the results of this conflict check in the case matter once it is opened.
- 3) Mary must then ask her colleagues in the FAC to check the name of the new client and key parties/witnesses against the lists of their past and present clients from prior work (from their *Conflict of Interest Forms*), per Part II, Par. 6 of these policies. She must put the results of this conflict check in the case matter once it is opened.
- 4) Mary must enter all names from her *Conflicts of Interest Form* into Clio, per Part III, Par. 9 & 10. She must then put the results of this conflict check in the Imputed Conflicts Log in Clio per Par. 11.

- 5) Should any of these steps produce potential conflicts, Mary must take the information to her Supervisor to discuss an appropriate resolution per Part IV, Par. 12 & 13.
- 6) Assuming Mary proceeds with representing the new client, Mary should be aware that she has an ongoing obligation to conduct additional conflict checks with new parties, pursuant to Part II, Par. 7.
- 7) At least mid-year, and more frequently if deemed necessary, Mary should update her list of clients from outside employment in her *Conflicts of Interest Form* and enter any new names in the Clio search field per Part IV, Par. 10. Mary should document these ongoing searches in the Imputed Conflicts Log matter per Par. 11.

APPENDIX 7

AGREEMENT REGARDING NON-DISCLOSURE OF CONFIDENTIAL INFORMATION

The law firm of _____ (hereinafter law firm) employs (hereinafter the student) who is also enrolled in Suffolk University Law School's Clinical Programs (hereinafter Clinical Programs). The law firm is seeking a list of Clinical Programs clients for the purpose of conducting a conflicts check. Consistent with Mass. R. Prof. C. Rule 1.6(a), the Clinical Programs will comply under the following conditions:

1. The Clinical Programs will share the client information only with the undersigned lawyer. The undersigned lawyer agrees that s/he will only share the client information with the person responsible for conflicts checks at the law firm and will not share such information with any other employee of the law firm.
2. The law firm will use these names solely for the purpose of conducting a conflicts check and will not use the names for any other purpose; and
3. The law firm will destroy the records and any copies made of the records containing these names in a secure manner immediately after the student terminates her employment with the law firm or her/his participation in the Clinical Programs.

Signed:

[name of attorney] _____

[name of law firm] _____

Date: _____

APPENDIX 8

Student's Acknowledgement of these Guidelines and Responsibilities

I, _____, acknowledge that:
(PRINT NAME)

1. I have read the *Clinical Programs Student Handbook* including all of the Appendices and I understand my professional and ethical obligations, as outlined in this *Handbook* and pursuant to all other state and/or federal rules governing my clinic; and
2. I have completed the required training videos for the Clinical Programs' case management system, Clio, and I understand my responsibilities to keep contemporaneous records and update information within that program.

Student Signature

Clinic

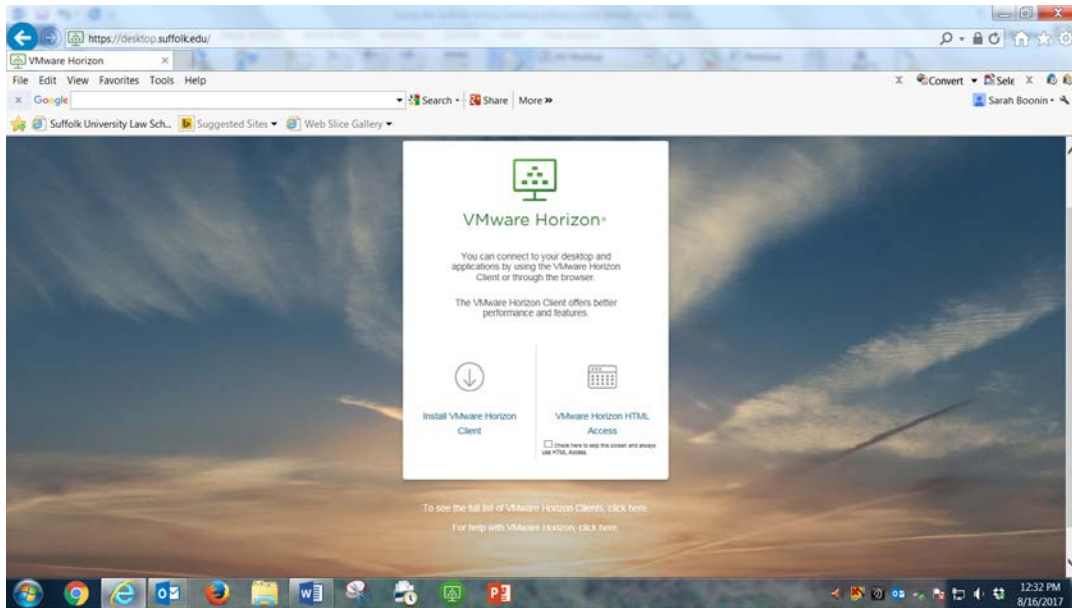
Dated: _____

Suffolk Clinical Programs

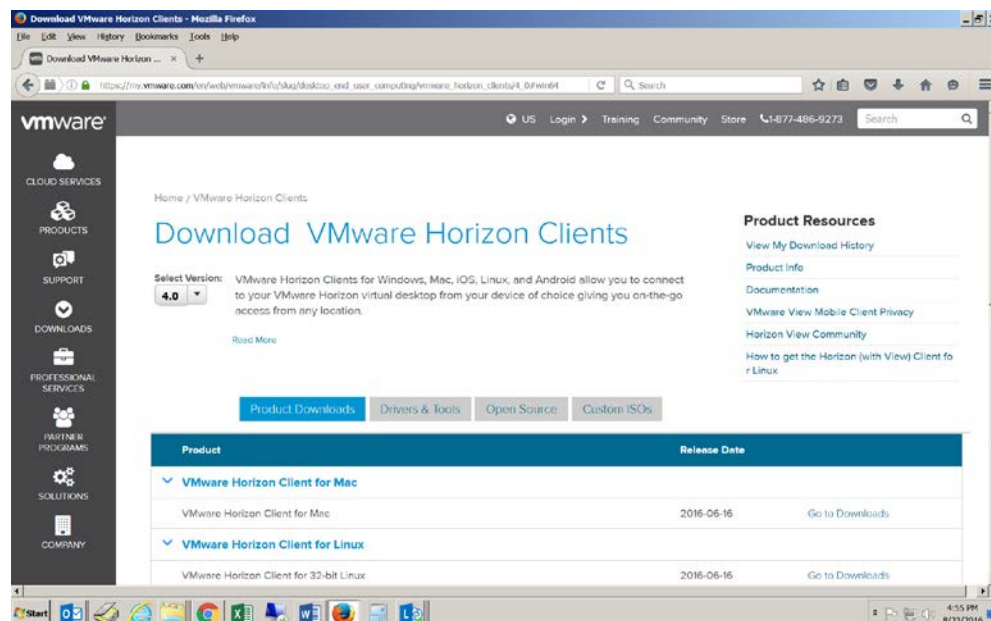
Installing and Using the Suffolk Virtual Desktop Infrastructure (VDI)

You can access the Virtual Desktop Infrastructure (VDI) either by downloading and installing the “client” (VMware Horizon) or via HTML (web aka BLAST) access. **For your clinic work, you should use the VMware Horizon client**, as it will allow you access to your local drive (S-drive), where you will be temporarily saving work before uploading it to Clio (the Clinical Programs online case Management System). Below are instructions to download the client and install it on your laptop or home computer.

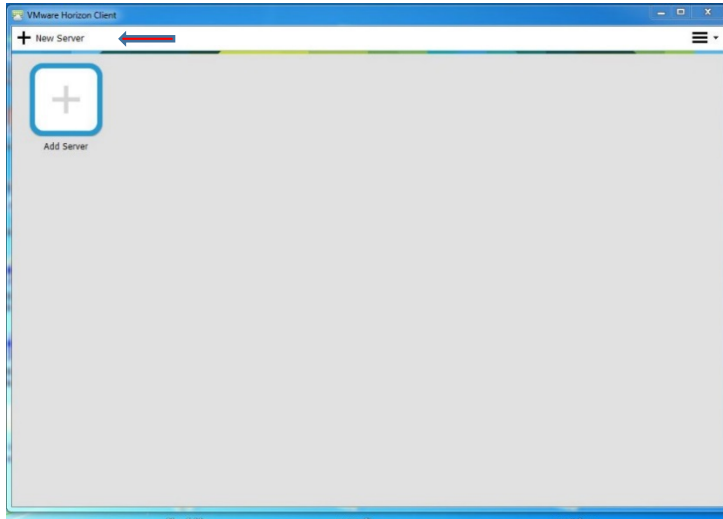
- 1) To download the VMware Horizon client, first go to desktop.suffolk.edu.



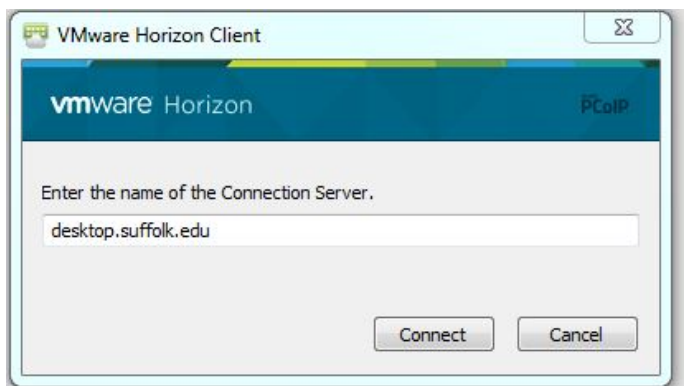
- 2) Next, find and click on the VMware Client that is specific to your operating system (Mac or Windows).



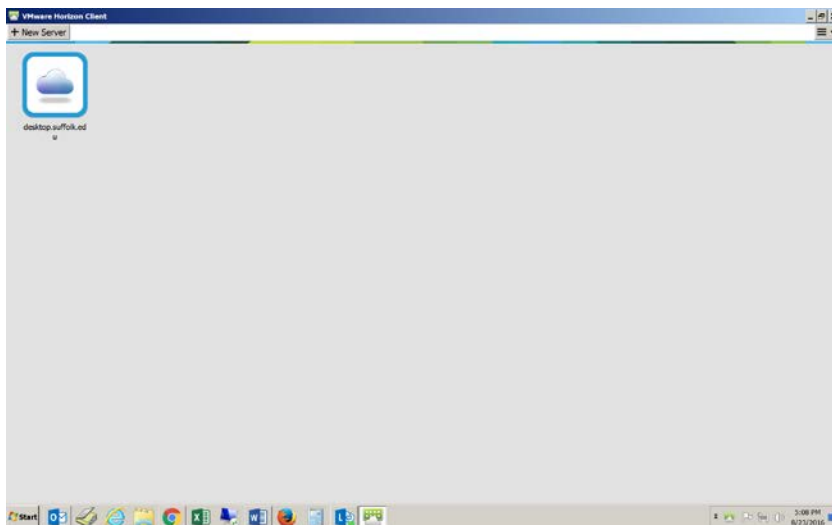
3) Click on New Server Button – you will see this screen.



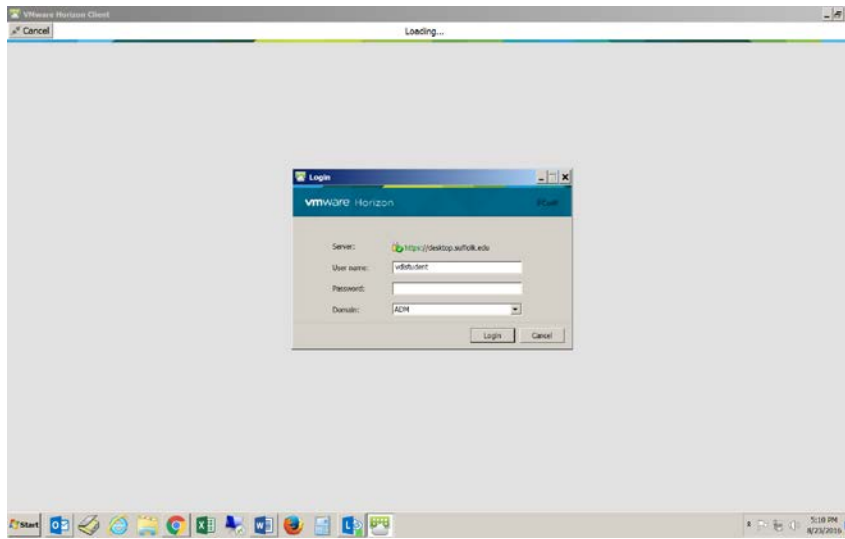
4) Enter “desktop.suffolk.edu” for the server name. Then click “connect.”



5) Double click to load desktop.suffolk.edu. (First time users, key in desktop.suffolk.edu as the connection server name)



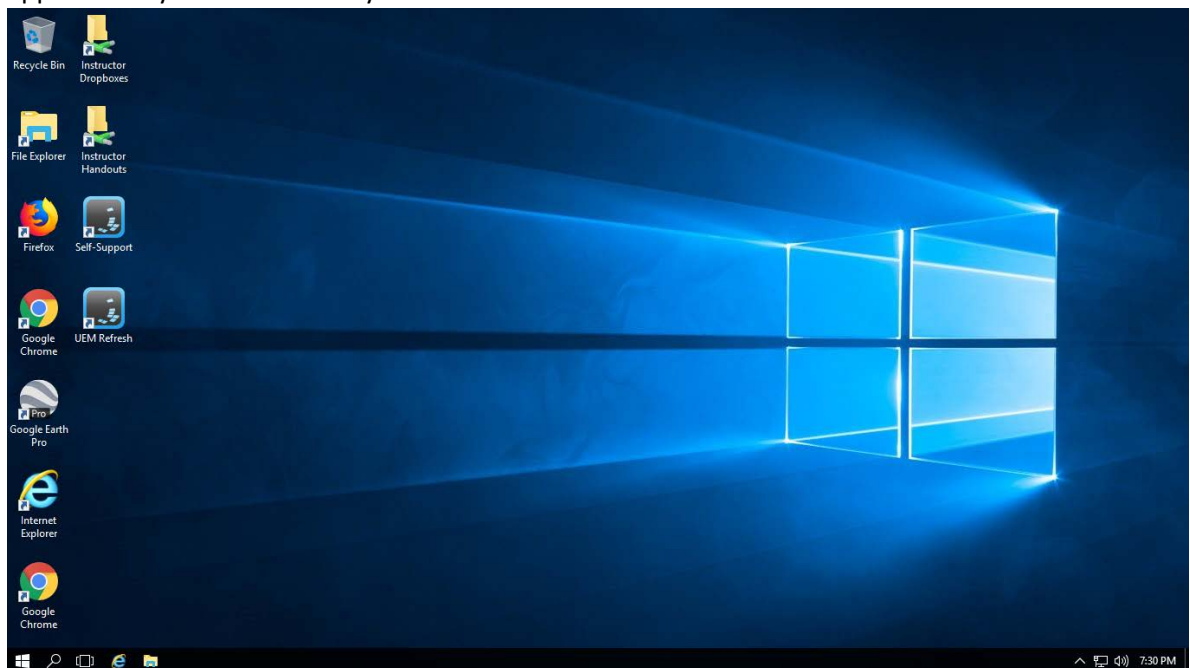
- 6) Login using your **Clinical email credentials** – this should be your “Clinical email” alias – “cl.student” (not your Office 365 University email).



- 7) Select the “VDI-Desktop” application.



- 8) You should then see the VDI-Desktop, with access to Clio, your S-Drive, Clinical Printers and all applications you will need for your Clinical Work.



Guidelines for Using the VDI

- 1) Only our “clinical email” address can be used to gain access to the VDI.
- 2) All Clinical work must be done inside of the VDI client. Do not conduct clinic work or save clinic work to desktops, clinical or non-clinical computers or drives that are NOT inside of the VDI environment. Similarly, do not use the VDI for any non-clinical work.
- 3) Your VDI virtual desktop can be customized by you. You can add links to websites and applications on your virtual desktops. Those will appear when you next log in.
- 4) You will access Clio through this VDI environment. When you download a document from Clio for editing, **please save it into your “S-Drive” in the VDI.** Do not save it to “downloads.” You will then need to upload that document back into Clio.
- 5) Never save clinical work onto the Clinic computers outside of the VDI. **The desktops and hard drives of the clinical computers are wiped nightly – and your work will be lost!! Again, all work must be done through the VDI client!**
- 6) You will print through the VDI. You will not have access to printers outside of the VDI.

APPENDIX 10

Clinical Programs Policies Regarding Document Security and Use of Technology

As Student Attorneys enrolled in Suffolk University Clinical Programs, you will have access to a range of case-related information, confidential client data, and other confidential materials necessary for your work in Clinic. This access comes with significant responsibilities under federal and state laws, as well as under the ethical rules that govern legal practice in Massachusetts. In short, you are the custodians of the data and information you acquire, handle, and use on behalf of your clients. The guidelines below will be strictly enforced by your clinical supervisor. Adherence to these guidelines is an important aspect of professionalism, as well as your ethical responsibility to your clients. Your clinical grade will reflect your compliance with these procedures. These are our core policies governing the security of our legal practice and our clients' information, but they are not meant to be exhaustive or cover every situation. You will receive training on these protocols during orientation and feedback and mentoring on these and other security protocols throughout your time in Clinic. If you have questions at any time about these or other policies concerning the security of our legal practice and our clients' information, please speak with your supervisor.

If you believe there has been a security incident, or you or your colleague has violated these procedures, please immediately report the incident to your Clinical supervisor!

I. Email Accounts

1. You have been assigned a Clinical Programs "work email" – cl.student@suffolk.edu. This is the email you should utilize for all clinical case-related transmissions. You must never use your Suffolk University Office 365 email account or any other email account to conduct clinic-related business. Use only your assigned Clinical Programs email for all case-related business, whether those emails are directed internally (to your colleagues or supervisor) or externally (to opposing counsel, clients, etc.). You may use your Office 365 student email to communicate with your professors about class assignments or other non-case related business only. There are no exceptions to this rule.
2. You will receive a temporary password for your Clinical Programs email account. You will be prompted to update and change that password. You should create a unique and strong password for this account that is not one utilized for any other purpose. Strong passwords contain letters, numbers, and characters.
3. Never auto forward or forward your Clinical Programs emails to any other email account. Once you have done so, you expose that email and its contents to further distribution or hacking, and open up your personal email account to future discovery in litigation.
4. You may use your mobile phone to check your Clinical Programs email, but only if that device is pin or password protected and set to auto-lock. If you have set up

your Clinical Programs email on your mobile phone, you must delete that email account from your phone at the end of the school year. If you have opened or viewed on your mobile device any documents attached to emails, there may be remnants of those documents on your phone that must be removed at the end of the school year. If you have questions about how to remove these remnants, please visit the IT Help Desk.

II. Clio and Cloud Storage

5. Clinical Programs uses Clio for case management. All clinic-related work must be documented in Clio. If documents, notes, phone calls, contact information, calendar entries, etc., are not recorded in Clio, it is as if they don't exist. You will not be given credit for the work, and you will jeopardize your Clinic's ability to document the work done on the case and/or transfer that case to future Student Attorneys.
6. Clio is a Cloud-based program, meaning that it can be accessed online at www.goclio.com. That said, you may never access Clio without going through our secure virtual network (VDI). Prior to doing any work in Clio, you must be on a device that has installed the VDI. When using Clio through our VDI, all documents you view and/or download from Clio will be stored on Suffolk Clinical Programs secure drives. Those documents can then be uploaded by you back into Clio, where they will remain secure. At no time should you *ever* open, edit, or save – even temporarily – any case-related document on any computer or device without going through the VDI.
7. Never use OneDrive, Google Docs, Dropbox, or any other Cloud-based document sharing or document storage program for your clinical work. This is strictly prohibited and there are no exceptions to this rule.

III. Sending and Receiving Electronic Records

8. You must take special precautions when sending or receiving electronic records that may contain Personally Identifiable Information (PII) and other case-related information. PII is information that can be used on its own or in combination with other information to identify an individual, such as date of birth, name, financial account numbers, Social Security Number, address, license and ID numbers, etc. PII can be found in most pleadings, medical records, government records, bank records, discovery, etc. PII is subject to the requirements of M.G.L. c. 93H and 201 C.M.R. 17.00.
9. Never attach case-related documents that contain PII to emails unless those documents are encrypted. Documents may be encrypted using Clio's secure email function or using Suffolk University's email encryption system. You must obtain your supervisor's permission before attaching any case-related documents to an email using your Clinical Programs work email.
10. Never email any document outside of the clinic that contains track-changes, comments, or other editing notes, unless you specifically have your supervisor's authority to do so. Simply "hiding" tracked changes in Word (e.g. "Show Final Markup") *does not* get rid of the tracked changes. The person who receives the document can very easily change the view and see all of your edits. Always

“Accept All” changes in a Word document before sending it outside of Clinical Programs. As a general practice, you should convert Word documents into Pdf format before transmitting them electronically.

11. If you receive any document or electronically stored information relating to the representation of a clinic client that you believe was inadvertently sent to you by an outside party, please bring it to the attention of your supervisor. You may have an obligation to notify the sender. (*See* M.R.P.C. 4.4(b))

IV. Personal Computers and Mobile Devices

12. You may use a personal laptop or desktop to conduct Clinic work, provided you access all case-related information and material through the VDI – our remote, secured desktop. If you are not working in the VDI, you are not complying with this rule. Your Clinical supervisor reserves the right to check any and all personal devices for clinic materials at the end of the year. If clinic material is found on your personal devices, you will be required to work with IT to install scrubbing software and eliminate those files. Please note that other files and programs may be lost during the scrubbing process, so you should avoid working on personal computers and devices outside of the VDI.
13. Never use a public laptop or desktop to conduct any Clinic work.
14. You may not use any mobile device (phone, iPad, Kindle, etc.) to conduct Clinic work, with two exceptions. You may place cell phone calls, as needed and authorized by your Clinic Supervisors, and in compliance with the protocols set forth below. You may also use mobile devices to view and send clinic emails, provided you comply with the email protocols above.
15. You may *not* use the Clio Mobile App to view or access Clinic-related work. In an emergency situation when you need access to Clio (such as when in Court or off-site at a meeting), you may call Clinical Programs and ask a colleague or administrator to access the information from Clio on a clinical programs computer.
16. You may not use a personal cell phone to take photographs of case-related documents, evidence, or other case-related images unless you have your supervisor’s permission and there is no alternative. Documents should be properly photocopied in the office. Evidence should be obtained using non-personal devices. If you must take photographs using your personal devices, you must disable Cloud-sharing and access to your photos by social media apps like Facebook, Instagram, Snapchat, etc. Clinic photos will need to be deleted from your phones at the earliest opportunity.
17. You may use the Clio Calendar to manage your clinic appointments and court dates. You may use the calendar on your mobile device or other electronic calendars to manage your time in Clinic, provided those entries do not contain any case information. For example, you may use case initials when entering a court date or meeting. Never enter case-related information in any personal, shared or public calendars.
18. Never place case-related documents on any personal USB device, thumb drives, or external hard drives. If you must use such a device, your supervisor can get you a

CLINICAL PROGRAMS

120 TREMONT STREET, BOSTON, MA 02108 | FAX: 617-742-2139 | SUFFOLK.EDU/LAW

University-issued IronKey device that is encrypted and secured.

V. Meetings, Phone Calls, and Case Conversations

19. Case-related conversations and meetings, like phone calls, should be conducted in Clinical Programs spaces, out of earshot from individuals who are not associated with Clinical Programs. You may meet with clients and witnesses in Court and at their homes, or elsewhere, but only with your supervisor's permission.
20. When conducting case-related business on the telephone, be sure to make calls from a secure location so that members of the public and non-Clinic students cannot overhear. Avoid the temptation to take calls on the train, bus, or on the street. If you must do so, be discreet.
21. Never leave detailed voicemail messages containing confidential client information, unless specifically authorized to do so by the client and your supervisor.
22. At no time may you discuss or reveal *any information at all* related to any Clinical Programs case (yours or another student's) with *anyone* outside of your Clinic, unless authorized by your client for the purpose of representation and the conversation has been cleared in advance with your supervisor. It does not matter whether the information you wish to discuss is favorable to your client or already known in the litigation –the fact of representation itself is protected. It does not matter whether the case is closed or you are no longer enrolled in Clinic. Your duty to protect confidential case-related information is very broad and it lasts forever – even following the death of a client! There are very narrow exceptions to this rule that apply in very rare circumstances – and those situations should be discussed in advance with your supervisor. You must review and be very familiar with your obligations to protect client confidentiality under M.R.P.C. 1.6.

VI. Clinical Space, Paper Files and Case-Related Documents

23. All case-related documents must be maintained in the client file and kept in a secured clinical programs file cabinet when not in use. Do not keep loose papers associated with your case, as loose papers are easily lost and difficult to track. Do not keep files on desks, tables, near the copier or elsewhere when you are not using them. Never leave case-related files and documents in any public spaces.
24. You may not leave the Clinical Office with a client file or document without your supervisor's permission. You must maintain control over and protect the security of any and all case-related documents in your possession.
25. Avoid making excess duplicates of case-related documents. Make only those copies you will need.. You should shred (in the Clinical Programs shredders) excess duplicates.
26. You may only use Clinical printers to print, copy and scan case-related documents. You may not use the printers in the Suffolk University Law School library or any other non-clinical printers on campus for case-related information. You may not print from home printers without your Supervisor's express permission. Clio has been set up to print to the Clinical Programs printers. You may not use Clinical printers for any non-clinic related business.

27. The Clinical Program Suites (110, 140, 150, 160) are for clinical students, faculty, staff and clients only. You may not bring non-clinical friends or fellow students into the space. This ensures a safe, confidential environment in which you and your colleagues may perform legal work.
28. The doors on the Clinical Program Suites will be locked outside of business hours. You will receive a door code. You may not share this door code with anyone outside of Clinical Programs. You may not leave the door to any Clinical Programs suites propped open outside of business hours. This ensures the security of our client files and is meant to protect your safety.

**THANK YOU FOR YOUR COOPERATION IN SECURING OUR LAW
PRACTICE AND PROTECTING THE PRIVACY OF OUR CLIENTS!**

APPENDIX 12.

STUDENT PREAPPROVAL REQUEST FOR REIMBURSEMENT

**MUST HAVE APPROVAL IN ADVANCE OF CLINICAL PROFESSOR*

**MUST HAVE SIGNATURE OF CLINICAL PROFESSOR WHEN SUBMITTING
FOR REIMBURSEMENT PAYMENT*

SUMBITTED ON _____

STUDENT NAME _____

STUDENT ADDRESS _____

CASE NAME _____

EXPLANATION OF
REIMBURSEMENT _____

DATE OF EXPENSE _____

AMOUNT OF EXPENSE _____

IF DRIVING - FINAL MILEAGE _____

APPROVED BY: _____

DATE _____

***PLEASE NOTE WHEN SUBMITTING FOR REIMBURSEMENT ATTACH ALL ORIGINAL
RECEIPTS TO SIGNED PREAPPROVAL FORM. IF BEING REIMBURSED FOR AUTO
TRAVEL MUST INCLUDE FINAL MILEAGE UPON RETURN WITH PRINT OUT FROM
MAPQUEST.**

Reimbursement Procedures

Students should never purchase or spend money expecting reimbursement without the prior consent of a Clinical Faculty member or the Clinical Director. If you should receive approval, in order to obtain reimbursement you must have the original receipt and submit to Joan. There is no reimbursement for MBTA or parking near the school. The University does not reimburse for rental or “zip cars”. There is reimbursement for cab rides in extraordinary circumstances only. In some instances with pre-approval in advance, a student may be reimbursed for mileage/parking on case related work that is at a distance from the Law School or other related emergency expenses. The signed reimbursement form should be submitted to Joan or Vivian with original receipts and/or print out of map for mileage purposes.

(Original Form in File -- Copy to Administrator for Opening in Clio)

STUDENT ATTY(s):

<p>Conflict Check Completed <input type="checkbox"/></p> <p>Date of Conflict Check</p>	<p>Conflict Check Results Attached <input type="checkbox"/></p> <p>Description of Results:</p>
<p>Case approved to be opened <input type="checkbox"/></p>	<p>_____</p> <p>(Supervisor's Signature - REQUIRED)</p>

Case Name (“Description” in Clio):	Judge/ ALJ:
Court/Agency:	Court/Agency Docket #
Referral Source:	Scope of Representation:
Clinic-specific Case Type (see Clio Matter form for choices):	
Brief Case Synopsis:	

CLIENT INFORMATION (Contact to be entered Administratively)

Name:		Gender Expression:		Date of birth: ____/____/____ MM / DD / YY	
Title (if app.):		Company (if app.):			
Other Names/ Aliases:		Marital Status:			
Street Address:		City/Town:	Zip Code:	Public Housing? Y / N	
Phone #:	Alternative #:	Alternative #:			
Interpreter Needed? Y N	Primary Language(s):	Race/ Ethnicity:			
U.S. Immigration Status:	Email:				
Household Monthly Income:		Sources of Income:			
Number of People in Household		Number of Dependents:			
Additional Notes:					

OPPOSING PARTY INFORMATION (Contact to be entered Administratively)

Name:		Gender Expression:		Date of birth: ____/____/____ MM / DD / YY	
Title (if app.):		Company (if app.):			
Other Names/ Aliases:					
Street Address:		City/Town:	Zip Code:		

Phone #:	Alternative #:	Alternative #:
Interpreter Needed? Y N	Primary Language(s):	Email:
Additional Notes:		

OTHER RELEVANT CONTACTS (*MUST be entered BY STUDENT - e.g. family, witnesses, opposing party, etc.)

Name:	Relation (e.g. family, O.P., witness, etc.):		
Email:	Phone #:		
Address: () Same as client	City/Town:		

Name:	Relation (e.g. family, O.P., witness, etc.):		
Email:	Phone #:	Alternative #:	
Address: () Same as client	City/Town:	State:	Zip Code:

Name:	Relation (e.g. family, O.P., witness, etc.):		
Email:	Phone #:	Alternative #:	
Address: () Same as client	City/Town:	State:	Zip Code:

Name:	Relation (e.g. family, O.P., witness, etc.):		
Email:	Phone #:	Alternative #:	
Address: () Same as client	City/Town:	State:	Zip Code:

CLINICAL PROGRAMS CASE CLOSING MEMORANDUM
(Must be Signed by Student and Supervising Attorney – PLACE ORIGINAL IN FILE)

TO:	[Supervisor]
FROM:	[Student Attorney]
CLOSING DATE:	[Date Submitted to Supervising Attorney/Faculty]
CLINIC/PRACTICE AREA:	
APPROVED BY	[Name of Supervising Attorney/Faculty]

CASE INFORMATION

Client's Full Name (First, Middle, Last):	Clio Case Number:
Student Attorney(s)	Intake Date:
Supervising Attorney/Faculty:	Court/Agency:
Court/Agency Docket #:	Judge/ALJ:
Referral Source:	Clinic-Specific Case Type:
Scope of Representation:	Clinic-Specific Disposition:
Monetary Award/ Settlement/ Value of Relief:	Hours Worked on Case (approximate):
List of People entered into Clio (At minimum Client and Opposing Party):	

CLIENT'S OBJECTIVES: Brief description of issue(s) and client's goal(s).

--

CLINICAL PROGRAMS CASE CLOSING MEMORANDUM
(Must be Signed by Student and Supervising Attorney – PLACE ORIGINAL IN FILE)

WORK DONE: Summary or work done by Clinic on Case:

CASE OUTCOMES: Brief description of the outcomes & extent to which client goals were met:

Any ongoing or unresolved issues? ☐ Yes ☐ No
If, Yes, Describe:

Is our office assisting with ongoing/unresolved issues? ☐ Yes ☐ No
If, Yes, Describe:

CLINICAL PROGRAMS CASE CLOSING MEMORANDUM
(Must be Signed by Student and Supervising Attorney – PLACE ORIGINAL IN FILE)

CASE FILE CLOSING CHECKLIST

Use "X" if completed:

- ☐ All necessary court/administrative orders entered into Clio & paper file.
- ☐ Notice of motion to withdraw/substitution of counsel filed, served, & in Clio/ paper file (if applicable).
- ☐ Remaining or outstanding trust fund money returned to client (if applicable).
- ☐ Original documents returned to client.
- ☐ Extra copies and extraneous materials removed from file and shredded (if contain client information).
- ☐ Copy of closing memo in file and Clio.
- ☐ New law, useful memos/research and/or sample pleadings, etc., redacted and saved on shared drive or in Clio template matter (if applicable).
- ☐ All clients, opposing parties, attorneys, witnesses, experts, etc. entered as Contacts in Clio.
- ☐ All case-related documents, pleadings, notes, memos, etc. are in paper file and scanned/saved in Clio.
- ☐ All case activity notes and time entries are documented in Clio.
- ☐ Closing letter sent to client.
- ☐ No confidential case-related information or documents are in your non-clinic email, on personal devices, on laptops or other personal computers.

Faculty/Supervising Attorney Signature and Date

Student Attorney Signature and Date

Appendix 15

Include the following language in civil closeout letters sample letter APPENDIX. This requirement applies to all clinics. CRIMINAL CLINICS (DEFENDERS & JUVENILE DEFENDER) NEED TO SEEK THE GUIDANCE OF THEIR SUPERVISOR REGARDING THE SPECIFIC LANGUAGE FOR THEIR CLOSE OUT LETTERS.

Sample Case Closing Letter

Date

Address

Re: Case Name and docket #

Dear Client,

It has been my pleasure working with you on your [XX] case. As the Suffolk Health Law Clinic's work on your case is now completed, I am writing to let you know that I will be closing your case.

[Describe the outcome of the case and any follow-up needed by the client. Include the names/numbers of any resources that might be helpful.] I have enclosed copies of [attach any relevant final orders and judgments, even if the client already has them].

If you have any questions concerning your case, please feel free to contact me at [phone number].

In the normal course, the *name of clinic* retains your file for seven years. After seven years, your file will be destroyed. If you would like a copy of your file now or at any time prior to the end of the seven year period, please let us know. Again, I enjoyed working with you and wish you and your family the best going forward.

Sincerely,

Student Name

Suffolk University Law School Clinical Programs

ASSESSMENT AND GRADING CRITERIA

You will receive formal and informal feedback throughout your time in your Clinic and one letter grade at the end of the year for your participation in the Clinic. Your clinical professors will use the following criteria to evaluate your performance. Meeting each of these criteria is critical to becoming an excellent lawyer. At the conclusion of the first semester, your clinical professors will meet with you and evaluate your performance based upon these criteria. At the end of the year, you will meet again with your professors and you will receive a written evaluation based on these criteria.

A note about grading: Participation in a clinic requires hard work. Ethical obligations of competence and zeal require attorneys to work hard on every case, and your professors will expect you to fulfill this obligation. It is likely that at the end of your clinic year you will feel that you have worked harder in this course than in any other course in law school. While your professors appreciate and recognizes the effort you will put in, hard work alone does not guarantee an “A.” Hard work is a minimum requirement for all clinics.

Your professors will consider effort as well as the other criteria listed below in determining your final grade. Similarly, clinical professors recognize that students want to help your clients obtain the relief they desire and that “winning” your first case will take on a special significance to you. While it is rewarding to “win” a case on behalf of a client, your grade in Clinic will not depend on whether you win or lose your cases. Your grade will depend on the quality of your preparation and your handling of your cases, as assessed using the criteria below.

Upon successful completion of this course, students are expected to know and demonstrate:

1. Professional Habits and Ethical Obligations of Successful Attorneys;
2. Fundamental Lawyering Skills and Values;
3. How to Think Critically and Exercise Professional Judgment; and
4. How to Successfully Implement the Components of Cross-Cultural Competence in Lawyering.

1. Professional Habits and Ethical Obligations

- a. Did the student develop an appropriate **relationship** with the **student’s supervisor**?
- b. Did the student keep track of **case developments** and meet **deadlines**?
- c. Did the student **keep the clients advised** of developments in their cases?
- d. Did the student perform casework in a **reliable, timely, thorough** manner?
- e. Did the student keep the case **organized and up-to-date**, and make appropriate use of time management software and filing systems?
- f. Was the student **thoroughly prepared** for all professional meetings?
- g. Did the student’s arguments, examinations, and evidentiary decisions **demonstrate an understanding** of the facts, theory of the case, law, and applicable rules and procedures?
- h. Did the student **take the initiative** in raising issues, researching and strategizing?
- i. Did the student **prioritize client** work and take clinical responsibilities seriously?
- j. Was the student **open to feedback** and critique?

- k. Did the student **reflect critically** on his or her own performance, and learn from feedback and from his or her own reflections?
- l. Was the student willing to **experiment** with new ways of doing things?
- m. Did the student **handle mistakes** properly, including taking responsibility, immediate action, and reflecting on the mistake?
- n. Did the student maintain **respect for the client** at all times?
- o. Did the student **interact effectively** with adversaries, court personnel, and other institutional participants or players?
- p. Did the student show respect for and collaborate effectively with **other clinic students** and staff?
- q. Did the student identify, analyze and properly handle applicable **ethical issues** when they arose, including keeping the supervisor informed?

2. Fundamental Lawyering Skills and Values

- a. Did the student effectively **interview** clients and witnesses?
- b. Did the student effectively **counsel** clients?
- c. Did the student demonstrate sufficient **listening** skills?
- d. Did the student do sufficient **legal research** to identify all appropriate theories?
- e. Did the student perform effective **factual investigation**?
- f. Was the student **creative and determined** in their pursuit of factual information for their cases?
- g. Was the student's **writing** precise, clear, concise, and well edited?
- h. Did the student's written advocacy **advance immediate and long-term objectives**?
- i. Did the student **negotiate** effectively?
- j. Was the student **fully prepared** for any in court appearances?
- k. Did the student's oral advocacy possess the **appropriate content, delivery, organization and narrative**?
- l. Did the student convey the **proper tone and level of respect** during her oral advocacy?
- m. Did the student **appropriately respond to the fact finder's questions**?
- n. Did the student act in ways to **promote justice and fairness**?
- o. Did the student regularly **attend class**?
- p. Did the student **participate** frequently class discussion?
- q. Did the student do all assigned **reading and exercises**?
- r. Did the student prepare for and participate effectively in **simulations**?

3. Critical Thinking and Professional Judgment

- a. Was the student able to synthesize factual and legal information to form an appropriate **theory of the case**?
- b. Was the student able to properly identify **issues of fact and law**?
- c. Did the student anticipate and respond to **adverse legal and factual arguments**?

- d. Did the student engage in thoughtful, informed, reflective **strategic decision making**?
- e. Was the student able to recognize and appropriately address **complex situations**?
- f. Did the student exercise sound **professional judgment**?
- g. Is the student able to sufficiently **critique** his or her own performance?
- h. Was the student able to appropriately **evaluate** the strength of their cases?
- i. Did the student help clients **make well-informed decisions**?
- j. Did the student actively **critique the systems** within which the student operated?

4. **Successful Implementation of the Components of Cross Cultural Competence**

- a. Did the student use appropriate **listening skills**?
- b. Did the student develop the ability to **adjust plans** based upon clients' responses?
- c. Was the student able to identify **similarities and differences** between the student and the client, and between the client and the decision maker (i.e., the judge)?
- d. Was the student able to identify **alternative interpretations** for client behavior?
- e. Did the student develop a client narrative from a **strengths-based or empowerment** perspective?
- f. Was the student able to **engage the client** in identifying appropriate options for resolving the client's problem?
- g. Did the student explain legal concepts using **non-legal language**?
- h. Did the student examine his/her own **assumptions and personal biases**?
- i. Did the student practice **client-centered lawyering**?
- j. In counseling, interviewing and advocating for the client, did the student **identify, process and validate the client's concerns and priorities**?
- k. Did the student **implement advocacy strategies that incorporated the client's concerns** and priorities?

PLEASE SEE A STAFF PERSON IF
YOU HAVE ANY
QUESTIONS.



REVISED August 2018

IV. APPENDIX

1. Voicemail Instructions _____	Page 1
2. Mail Request Form _____	Page 2
3. Summary Rule 3:03 Civil _____	Page 3
4. Summary Rule 3:03 Criminal _____	Page 5
5. In-House Conflicts – Conflicts of Interest Form _____	Page 7
6. Policy & Procedures Concerning Conflicts of Interest _____	Page 9
7. Agreement Regarding Non-Disclosure of Confidential Information _____	Page 15
8. Student Acknowledgement of Guidelines & Responsibilities _____	Page 16
9. Instructions for Using VDI _____	Page 17
10. Policy & Procedures Concerning Conflicts of Interest Within _____	Page 21



12. Student Preapproval Request for Reimbursement _____	Page 26
13. Clinic Wide Case Opening _____	Page 28
14. Clinic Wide Closing Memo _____	Page 31
15. Client Case Closing Letter _____	Page 34
16. Suffolk Clinical Assessment & Grading _____	Page 35

APPENDIX 1

Suffolk University Voicemail Instructions

Setting Up Your Voicemail Account

To set up your new Voicemail account, do the following:

From Inside the University Dial: **3000**

From Outside the University Dial: **617-305-3000**

Enter your mailbox number:
(Last 4 digits of phone number)

Enter the default **security code 147258** when you log on to Voicemail system for the first time

Gaining Access to Your Mailbox

Follow these simple steps to start using Suffolk's Voicemail.

1. Call the Voicemail internal or external number.
2. You will need to do one of the following depending on the message prompt.
 - A. **PRESS # AND ENTER MAILBOX NUMBER.**
OR
 - B. **IT IS POSSIBLE YOU MAY NEED TO ENTER * # IF THE PROMPT ASKS FOR SECURITY CODE AND NOT MAILBOX NUMBER.**
3. If prompted, enter your mailbox number.
4. Enter a security code (or the default code of **147258** if this is your first time).

Performing Common Tasks

If you're looking for a quick hint on how to perform a specific task, read on.

Changes to Your Mailbox

<i>If you want to ...</i>	<i>Then enter ...</i>
Change your name recording	4 1 5
Change your out-of-office greeting	4 1 3 3 or 4 6
Change your password	4 1 4
Change your standard greeting	4 1 3 2 or 4 4

Getting Started

<i>If you want to ...</i>	<i>Then enter ...</i>
Listen to new voice messages	1 1
Listen to all voice messages	1 1
Listen to saved voice messages	1 5

After Listening to a Message

<i>If you want to ...</i>	<i>Then enter ...</i>
Forward the message to another subscriber	6
Delete the message	7
Reply	8
Transfer to a sender's extension	8 8
Transfer to a sender's outside number	8 4
Save the message	9



MAIL REQUEST FORM

Employee Name: _____

Faculty Suite/Office #: LAW CLINICAL PROGRAMS Extension: 617/573-8100

Date: _____ Time: _____ a.m. / p.m.

Please check one: ☐ 2-Day Mail

☐ Overnight Mail / NO signature requirement

☐ Overnight Mail / WITH signature requirement

☐ Overnight Mail with Saturday Delivery / NO signature requirement

☐ Overnight Mail with Saturday Delivery / WITH signature requirement

☐ International Mail

☐ Other _____ (please explain)

Recipient Name: _____

Street Address: _____

(please note that overnight mail cannot be sent to a PO Box)

City, State, Zip: _____

Phone: (_____) _____

**** (please note that phone number is required for overnight mail)**

Please send e-mail tracking information to:

_____@suffolk.edu

Budget (if different than the regular postage line): _____

Additional Notes/Instructions: _____

APPENDIX 3. SUMMARY OF THE APPLICATION OF S.J.C. RULE 3:03 IN CIVIL CASES

S.J.C. Rule 3:03, sometimes referred to as the “Student Practice Rule,” governs the circumstances under which law students can be authorized to represent either the Commonwealth or indigent parties in civil proceedings in certain courts of the Commonwealth.

In civil proceedings, only the following students are eligible for Rule 3:03 certification:

- Third year day students or fourth year evening students (students who have successfully completed their next to last year of law school) who have successfully completed or are enrolled in evidence or trial practice.
- Second year day students or third year evening students:
 - who are participating in a law school clinical instruction program and
 - who have successfully completed or are enrolled in evidence or trial practice.[Note: In the Appeals Court or the Supreme Judicial Court, where students may appear only with the permission of a justice of that court, in the discretion of an appellate justice, successful completion of or enrollment in a course in appellate practice may be deemed a substitute for a course in evidence or trial practice.]

Limitations on Receipt of Compensation

- Students may not receive any compensation from a client. Under Rule 3:03, this limitation on compensation is not construed to prohibit fixed compensation paid regularly by a governmental agency or legal assistance program employing the law student.

Limitations on Whom Students Can Represent

Students may only appear:

- On behalf of the Commonwealth, an agency of the Commonwealth, or
- On behalf of indigent parties in civil proceedings.

Authorized Supervisors

The rule is explicit about who is authorized to provide the supervision it requires.

If appearing on behalf of the Commonwealth or a subdivision thereof, the supervisor must be:

- A regular or special assistant district attorney;
- A regular or special assistant attorney general;

- A municipality's corporation counsel, a city solicitor or town counsel, or an assistant municipal counsel or assistant solicitor.

If appearing on behalf of an indigent party in a civil proceeding, the supervisor must be:

- A member of the Massachusetts bar assigned by the Committee for Public Counsel Services;
- A member of the Massachusetts bar employed by a non-profit program of legal aid, legal assistance or defense;
- A member of the Massachusetts bar employed by a law school clinical program.

Note: Any student representing a client under this rule must:

1. Advise the client that s/he is a law student;
2. Obtain written authorization from the client acknowledging that the client has been informed of the student's status and authorizing the student to represent him;
3. Have this authorization signed by the supervising attorney; and
4. File the document, along with the written appearance of the supervising attorney, with the court in which the proceedings are pending.

Limitations on Courts in Which Students Can Appear

Students may appear in civil proceedings only in the following courts:

- Any division of the District Court, Juvenile Court, or Housing Court Departments, or in the Boston Municipal Court Department;
- The Appeals Court, Supreme Judicial Court, Superior Court, Probate and Family Court, or Land Court only with the permission of a justice of that court;
- Before any administrative agency, provided such appearance is not inconsistent with the agency's rules.

Please note that this memo summarizes only the basic provisions of the S.J.C. Rule 3:03. Any student seeking to practice under the rule must read it in its entirety.

APPENDIX 4. SUMMARY OF THE APPLICATION OF S.J.C. RULE 3:03 IN CRIMINAL CASES

S.J.C. Rule 3:03, sometimes referred to as the “Student Practice Rule,” governs the circumstances under which law students can be authorized to represent either the Commonwealth or indigent defendants in criminal proceedings in certain courts of the Commonwealth. Note: Only “senior” law students – that is, third year day students or fourth year evening students (students who have successfully completed their next to last year of law school) – who have successfully completed or are enrolled in Evidence or Trial Practice may be certified for student practice in criminal cases.

Limitations on Receipt of Compensation

- Students may not receive any compensation from a client. Under Rule 3:03, this limitation on compensation is not construed to prohibit fixed compensation paid regularly by a governmental agency or legal assistance program employing the law student.

Limitations on Whom Students Can Represent

Students may only appear:

- On behalf of the Commonwealth, an agency of the Commonwealth, or a municipality;
or
- On behalf of indigent defendants.

Authorized Supervisors

The rule is explicit about who is authorized to provide the supervision it requires.

If appearing on behalf of the Commonwealth or a subdivision thereof, the supervisor must be:

- A regular or special assistant district attorney;
- A regular or special assistant attorney general;
- A municipality’s corporation counsel, a city solicitor or town counsel, or an assistant municipal counsel or assistant solicitor.

If appearing on behalf of an indigent criminal defendant, the supervisor must be:

- A member of the Massachusetts bar assigned to represent the defendant by the Committee for Public Counsel Services;
- A member of the Massachusetts bar employed by a non-profit program of legal aid, legal assistance or defense;
- A member of the Massachusetts bar employed by a law school clinical program.

Note: Any student representing a defendant under this rule must, prior to acting or appearing for the client:

1. Advise the client that s/he is a law student;
2. Obtain written authorization from the client acknowledging that the client has been informed of the student's status and authorizing the student to represent him;
3. Have this authorization signed by the supervising attorney; and
4. File the document, along with the written appearance of the supervising attorney, with the court in which the proceedings are pending.

Limitations on Courts in Which Students Can Appear

Students may appear in proceedings only in the following courts:

On behalf of the Commonwealth, in:

- Any division of the District Court, Juvenile Court, or Boston Municipal Court Department.

On behalf of indigent defendants in:

- Any division of the District Court, Juvenile Court, or Housing Court Departments, or in the Boston Municipal Court Department;
- In the Supreme Judicial Court or the Appeals Court.

On behalf of either the Commonwealth or indigent defendants:

- With the permission of a justice of the Superior Court Department, in the Superior Court only on:
 - A motion for a new trial in the Superior Court, either after the time for direct appeal has expired or, if such an appeal has been taken, after the appeal has been decided by the S.J.C., or
 - A petition for review of bail under G.L. c. 276, sec. 58; or
 - An appeal for review of sentence in the Appellate Division of the Superior Court
- Before any administrative agency, provided such appearance is not inconsistent with the agency's rules.

Please note that this memo summarizes only the basic provisions of the S.J.C. Rule 3:03. Any student seeking to practice under the rule must read it in its entirety.

APPENDIX 5**IN HOUSE CLINICS - CONFLICTS OF INTEREST FORM**

NAME: _____

DATE: _____

The purpose of this form is to determine if there are any real or potential conflicts of interest that would jeopardize the confidentiality and loyalty required if you are enrolled in the Suffolk University Law School Clinic Programs (SLC). Therefore, please take your time to answer these questions thoughtfully and completely. (Attach additional sheets if necessary.) You are obligated to submit any updates or changes to this form while enrolled in the SLC.

1. Have you worked or volunteered for a law firm, legal services office, corporate legal department, governmental agency, a judge, or hearing examiner prior to applying for the SLC?

2. If yes, where have you worked? List all, starting with the most recent. Give dates and locations.

3. On what types of cases did you work at each location? (If your clinic supervisor determines that the types of cases are substantially related to the practice areas in the Clinical Programs, you will be asked to provide a full list of all matters on which you worked.)

4. Are you **presently** employed or volunteering at any offices listed in question #1 or are you planning on being employed or volunteering at any office during the semester?

5. If yes, where are you (or will you be) employed or volunteering?

6. On what types of cases are you (will you be) working on?

-
-
-
7. Please provide a list of all matters on which you are currently working.

-
-
-
8. Please state any entities to which you have applied for future employment, including law firms, legal services offices, corporate legal departments, governmental agencies, judges, or hearing examiners. If you have had any communication beyond sending your resume, please list them. (You do not need to include potential employers to whom you have sent a resume, but heard nothing further. If you hear from them subsequently, you are required to update this form.)

-
-
-
9. Are there any other personal, financial, or family interests that could present conflicts of interest for you in the clinic? If so, please identify them here.

-
-
10. Have you been enrolled in any other SLC program before?

[YES]

[NO]

11. If yes, please indicate the semester(s) in which you were enrolled, which clinic, and the location of your placement below.

-
-
-
12. Please state any other non-legal jobs, volunteer position or Board affiliation you will hold during the upcoming academic year or summer session while enrolled in the SLC.

Please Note: you have an obligation to conduct a new conflict check on any new matter you work on during the academic year.

APPENDIX 6

CLINICAL PROGRAMS POLICIES AND PROCEDURES CONCERNING CONFLICTS OF INTEREST

The policy and procedures set forth herein are intended to address actual and potential conflicts of interest arising from participation in the Suffolk University Law School Clinical Programs (SLC). The first goal of these procedures is to protect the interests of clinic clients. The second goal of these procedures is to allow clinic students to participate in the SLC to the greatest extent possible. The third goal of these procedures is to teach student attorneys to fulfill their ethical obligations in accordance with best practices.

Clinic students will be expected to review these policies and procedures, which are included in the Suffolk Law Clinic Handbook, and sign an *Acknowledgment of Guidelines and Responsibilities*.

I. Reporting Requirements and General Conflict Check Rules

1. Clinic students are required to **know and adhere to the Massachusetts Rules of Professional Conduct (Mass. R. Prof. C.)**. Conflicts of interest are governed by Mass. R. Prof. C. 1.7 – 1.11. Any clinic student aware of any potential conflict must immediately bring the matter to the attention of their supervisor(s). Students should be mindful that their conflict check responsibilities are a continuing obligation while enrolled in Clinic.

2. Supervisors in the SLC will distribute a ***Conflict of Interest Form*** to all new clinic students when they join the SLC. The purpose of this form is to gather information about past and current legal employment, as described below. Supervisors and clinic students will discuss potential conflicts at the start of the clinic and also as needed during weekly supervision meetings.

3. **Past Legal Employment:** Clinic students who have performed any prior legal work outside of the SLC must commit to working with their supervisor(s) to identify potential conflicts of interest.¹ In order to do so, student attorneys must maintain and provide a list of prior legal employers, as well as a list of all matters on which they worked and/or acquired confidential information relating to the representation. This information will be included in the *Conflict of Interest Form* and is for the purpose of identifying conflicts related to prior representation.²

4. **Current Legal Employment:** Student attorneys who work in a legal capacity *while* participating in the SLC must also guard against conflicts of interest. To do so, students must maintain and provide a list of all matters associated with their outside employment on which they have worked, continue to work, and/or about which they acquired confidential information relating to the representation. A list of such cases will be included in the *Conflict of Interest Form* and is for the purpose of identifying conflicts related to their representation of non-SLC clients during concurrent, outside legal employment.

¹ Clinic supervisors will make a determination of whether the student is “associated with” the outside firm in question and will instruct students regarding any further obligations under the Mass. R. Prof. C. Clinic supervisors are to use the analysis of “associated with” found in ABA Formal Op. 88-356.

² At the time of accepting a spot in the SLC, students were apprised of their obligation to maintain complete lists of past and current legal employment, cases on which they have worked, and cases about which they have acquired confidential information related to the representation.

II. Conflict Checks for Newly Assigned Clinic Clients

Students must ensure that there are no conflicts of interest involving any cases they have been assigned (including cases new to the clinic and ongoing clinic cases on which former students worked).³ ***Every time a clinic student takes on a matter that is new to them, the student must conduct an initial conflict check as described below.***

5. Internal Conflict Check against Existing and Former SLC Clients: This conflict check is designed to ensure SLC's representation of a new or current client does not conflict with our representation of another client, former client, or other person associated with SLC. Clinic students will run a conflict check in Clio for all prospective and new clinic cases, as well as all ongoing cases to which they are newly assigned. For this initial conflict check for new and newly assigned cases, students should identify all known relevant names associated with the matter including, but not limited to, clients, opposing parties, and potential witnesses. To conduct these searches, clinic students should put all of the first and last names identified into the search field in Clio, including conducting a search of the first and last names with variable spellings where warranted. This will ensure that all potential conflicts with current and former SLC clients and parties are identified.

Clinic students must print out a report documenting this conflict check, regardless of whether the Clio search returned any results. Clinic students must print a report for every name entered during the conflict check and bring the printed records to their clinic supervisor(s) for a discussion about whether there is a potential conflict and the appropriate next steps. This documentation must be appended to the Case Opening Form for new matters.

6. Conflict Check against Outside Employment: Clinic students must also make sure that there is no conflict between their newly assigned cases and cases on which they are working or have worked through outside employment, or about which they received confidential information through their outside employment. To run this aspect of the conflict check, students should check the names of their newly assigned clients against their most up-to-date list of former and current clients and cases from outside employment (those should be listed and updated in the *Conflicts of Interest Form*). Students should also ask their colleagues within their individual clinics to do the same - check the student's newly assigned cases against their colleagues' *Conflict of Interest Forms*.

7. New Individuals in a Matter: These conflict checks have to be performed with respect to all relevant parties to a matter including clients, opposing parties, and witnesses. When a student identifies new individuals relevant to a matter (e.g., witnesses), the student may need to conduct additional conflict checks against these new individuals. The student should discuss with his/her supervisor whether any additional conflict checks need to be done.

8. Documenting Conflict Checks for Newly Assigned Cases: As noted above in paragraph 5, clinic students should print out a report documenting the results of each conflict check conducted in Clio, regardless of whether a conflict was identified. This report should then be scanned and added as a PDF into the newly assigned matter in Clio. To the extent any potential conflicts were identified, the student should create a note in the newly assigned matter in Clio indicating that

³ For new clinic clients assisted as part of a limited assistance representation project ("LAR") or lawyer for the day programs, these procedures may not apply. Rather, pursuant to Mass. R. Prof. C. 6.5, students are instructed to decline representation in some LAR contexts only if either the student or his/her clinic supervisor knows that the representation would pose a conflict of interest. See Mass. R. Prof. C. 6.5(a) and (b) and relevant comments.

the student met with his/her supervisor regarding the potential conflict and reporting how the potential conflict was resolved.

III. Identifying “Imputed” Conflicts Related to Outside Employment⁴:

For those students who are or have worked in a legal capacity outside of SLC, there are additional conflict check requirements to avoid *imputed* conflicts – conflicts that pass from one lawyer in a firm to other lawyers in the same firm. In other words, just because neither you nor SLC has any conflicts associated with the cases on which you are working in your Clinic, doesn’t mean SLC as a large firm (with many Clinics) doesn’t have conflicts associated with your prior or current outside employment. This type of conflict check, which protects against imputed conflicts, should be conducted at the start of the year by any student who has worked on any cases in prior outside legal employment. For those who continue to work outside of SLC while participating in a Clinic, these conflict checks must be conducted periodically.

9. Imputed Conflict Checks against *Prior Outside Employment*: At the start of the school year, Clinic students will run a conflict check in CLIO for all clients he/she has represented outside of SLC or about whom he/she has acquired confidential information related to *prior employment outside of SLC*. This involves checking all of SLC’s clients (from all Clinics) against all names documented in the student’s *Conflict of Interest Form*. For this conflict check, students should identify all known relevant names associated with prior outside representation including, but not limited to, clients, opposing parties, and witnesses. To conduct these searches, clinic students should put the names associated with past outside employment into the Clio search field. Be sure to check different spellings if there are multiple ways a name can be spelled. Clinic students must print a report for every name that produces a result during the conflict check and bring the printed reports to their clinic supervisor for a discussion about whether there is a potential conflict and what appropriate next steps should be.

10. Imputed Conflict Checks against *Current Outside Employment*: *As noted in paragraph 18 below, all students working outside of SLC during their enrollment in SLC must first obtain the permission of their supervisors.* At the start of the school year, mid-year, and as needed thereafter, Clinic students concurrently working outside of Clinic will run conflict checks in CLIO for all clients he/she has represented, is currently representing, or about whom he/she has acquired confidential information, related to work through *current employment outside of SLC*. This involves conflict checking SLC’s clients (for all Clinics) against all names documented in the student’s most up-to-date *Conflict of Interest Form*. As students take on new cases or acquire information about new cases associated with *concurrent* legal employment outside of their clinic, they must run updated conflict checks in Clio against those outside names. For these conflict checks against outside employment, students should identify all known relevant names associated with outside representation including, but not limited to, clients, opposing parties, and witnesses. Clinic students should put these names into the Clio search field. Be sure to check different spellings if there are multiple ways a name can be spelled. Clinic students must print a report for every name that produces a result during the conflict check and bring the printed reports to their clinic supervisor for a discussion about whether there is a potential conflict and what appropriate next steps should be.

⁴ This part of the policy ensures that students who have had or currently have outside legal employment do not bring with them to our firm any conflicts of interest. The SLC operates as “one firm” for the purpose of conflict checking. Therefore, if a student in clinic A has represented a client in outside employment, clinic B may be prohibited from taking or continuing to represent a client in a related matter.

11. Documenting Conflict Checks for Imputed Conflicts: Clinic students should log these conflict checks related to outside employment in their clinic’s ***“Imputed Conflicts Log,”*** matter located in CLIO. An entry should be made via a “note” in the Conflicts Log matter confirming that the student ran a thorough conflict check against all outside employment and noting whether and to what extent the conflict check revealed any potential conflicts. Supervisors will review the Imputed Conflicts Log periodically to confirm that conflict checks have been properly conducted.

IV. Resolving Conflicts

12. Clinic students will meet with their supervisors concerning the results of their conflict checks. Supervisors will consult with the program administrator to determine what other clinics are implicated. Should a potential conflict be discovered, the student and her/his supervisor must take the appropriate remedial steps (see paragraph 13 below). If the potential conflict involves another clinic, the supervisors for each clinic shall meet and determine whether a conflict of interest exists.

13. In resolving conflicts, the faculty in the SLC will make every effort to reconcile the interests of the clinic student and client. Appropriate remedial steps may include: (a) declining representation of the prospective clinic client, (b) seeking informed consent from all effected clients, (c) withdrawing from the case, and only as a last resort, (d) discharging the clinic student from the SLC. In rare circumstances, the SLC may seek other means of resolving conflicts under the law including, but not limited to, screening the affected student from work in other clinics in potential inter-clinic conflicts or obtaining an opinion letter from the Board of Bar Overseers. “Screening” refers to shielding the affected clinic student from any personal participation in or access to the conflicted client matter and avoiding any discussion about the case with the clinic student to avoid inadvertent disclosure of the client’s confidences.

V. Ongoing Duties Owed to Clients after Graduation

14. Students should be aware that they will owe an ongoing duty of loyalty to those clients they represented while enrolled in SLC, as well as those cases about which they acquired confidential information. This includes the duty to avoid conflicts of interests related to past representation of clinic clients and the duty to maintain client confidentiality. Students must carefully read and be aware of Mass. R. Prof. C. 1.9 and 1.10, or the equivalent in their local jurisdictions.

VI. Confidentiality Obligation of Clinic Students

15. Clinic students owe a duty of confidentiality to all clinic clients, and as a general matter cannot reveal information about clients to persons outside the firm. This duty of confidentiality survives the termination of the student’s clinic student status. Please see the *Policy and Procedures Concerning Confidentiality within the Suffolk Law Clinical Programs* in this Handbook.

VII. Procedure for Clinic Students and Former Clinic Students to Provide Conflict-checking Information to Non-clinic Legal Employers

16. A clinic student (or former clinic student) who is asked for conflict-checking information relating to SLC clients, former clinic clients, or prospective clinic clients may as a general matter

provide an employer or prospective employer with a list of each matter personally handled by the student while participating in the clinic (including the names of any significant parties to the matter and a summary description of the matter), but *only on the condition that* the employer or prospective employer provides the SLC with a signed copy of the *Agreement Regarding Non-Disclosure of Confidential Information*, guaranteeing that the information provided for purposes of conflict checking will be kept confidential. The student shall not provide additional information, and if a clinic student (or former clinic student) is requested to do so, the student shall consult with his or her supervisor. The supervisor shall provide such additional information only upon a determination that the information requested is essential to running a conflicts check. A supervisor may also decline to provide requested information upon a determination that complying with the request (even such basic information as the name of a client) may materially prejudice the interests of the client or former client.

17. A clinic student who is simultaneously employed by a legal employer should make arrangements with his/her supervisor and his/her legal employer for the ongoing provision to both the SLC and the legal employer of such information necessary for both to perform conflict checks.

VIII. Clinic Students Seeking Employment or Internships/Externships During Clinic

18. Clinic students are prohibited from accepting any employment (paid or unpaid) at any outside organization or firm during their tenure as a clinical student without *prior* approval by both their Clinic supervisor(s) and, if deemed necessary by the supervisor(s), the Director of Clinical Programs.

IX. Conflict Check Example

Mary is a brand new student in the Family Advocacy Clinic (FAC) and has been assigned her first new case. Mary has a part-time job working at a local firm. Below is a summary of the actions Mary must take to ensure there are no conflicts of interest related to her work on the case:

- 1) Mary must first enter the name of her new potential client and all key parties/witnesses into Clio and conduct a conflict check against other clients of the Clinical Programs per Part II, Par. 5 of these policies. She must put the results of this conflict check in the case matter once it is opened, per Par. 8.
- 2) Mary must then check the names of the new client and key parties/witnesses against the names in her *Conflict of Interest Form* from prior and current outside employment, per Part II, Par. 6 of these policies. She must put the results of this conflict check in the case matter once it is opened.
- 3) Mary must then ask her colleagues in the FAC to check the name of the new client and key parties/witnesses against the lists of their past and present clients from prior work (from their *Conflict of Interest Forms*), per Part II, Par. 6 of these policies. She must put the results of this conflict check in the case matter once it is opened.
- 4) Mary must enter all names from her *Conflicts of Interest Form* into Clio, per Part III, Par. 9 & 10. She must then put the results of this conflict check in the Imputed Conflicts Log in Clio per Par. 11.

- 5) Should any of these steps produce potential conflicts, Mary must take the information to her Supervisor to discuss an appropriate resolution per Part IV, Par. 12 & 13.
- 6) Assuming Mary proceeds with representing the new client, Mary should be aware that she has an ongoing obligation to conduct additional conflict checks with new parties, pursuant to Part II, Par. 7.
- 7) At least mid-year, and more frequently if deemed necessary, Mary should update her list of clients from outside employment in her *Conflicts of Interest Form* and enter any new names in the Clio search field per Part IV, Par. 10. Mary should document these ongoing searches in the Imputed Conflicts Log matter per Par. 11.

APPENDIX 7

AGREEMENT REGARDING NON-DISCLOSURE OF CONFIDENTIAL INFORMATION

The law firm of _____ (hereinafter law firm) employs (hereinafter the student) who is also enrolled in Suffolk University Law School's Clinical Programs (hereinafter Clinical Programs). The law firm is seeking a list of Clinical Programs clients for the purpose of conducting a conflicts check. Consistent with Mass. R. Prof. C. Rule 1.6(a), the Clinical Programs will comply under the following conditions:

1. The Clinical Programs will share the client information only with the undersigned lawyer. The undersigned lawyer agrees that s/he will only share the client information with the person responsible for conflicts checks at the law firm and will not share such information with any other employee of the law firm.
2. The law firm will use these names solely for the purpose of conducting a conflicts check and will not use the names for any other purpose; and
3. The law firm will destroy the records and any copies made of the records containing these names in a secure manner immediately after the student terminates her employment with the law firm or her/his participation in the Clinical Programs.

Signed:

[name of attorney]

[name of law firm]

Date: _____

APPENDIX 8

Student's Acknowledgement of these Guidelines and Responsibilities

I, _____, acknowledge that:
(PRINT NAME)

1. I have read the *Clinical Programs Student Handbook* including all of the Appendices and I understand my professional and ethical obligations, as outlined in this *Handbook* and pursuant to all other state and/or federal rules governing my clinic; and
2. I have completed the required training videos for the Clinical Programs' case management system, Clio, and I understand my responsibilities to keep contemporaneous records and update information within that program.

Student Signature

Clinic

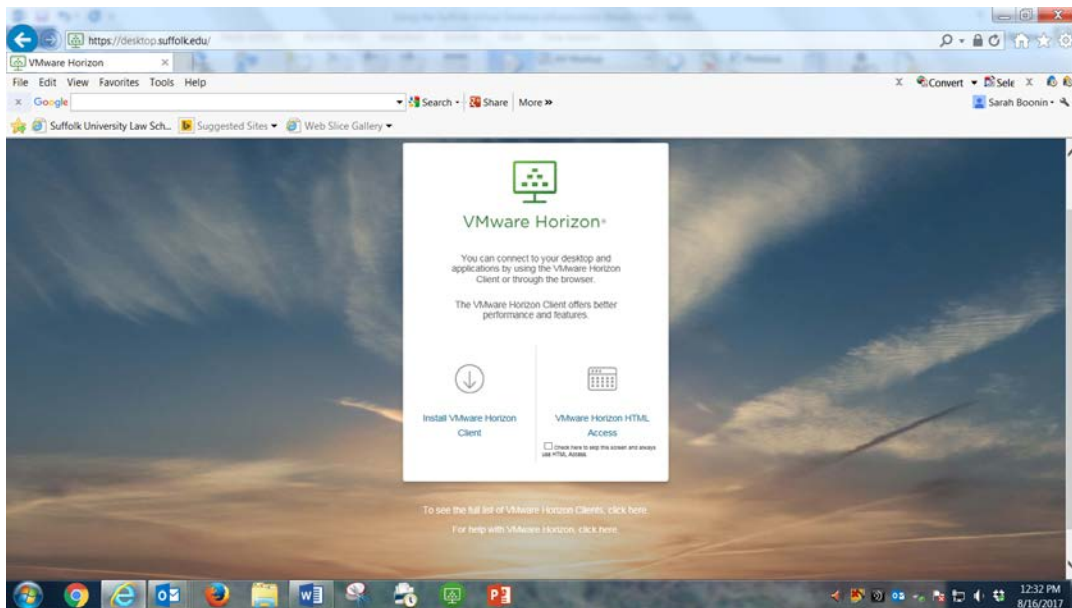
Dated: _____

Suffolk Clinical Programs

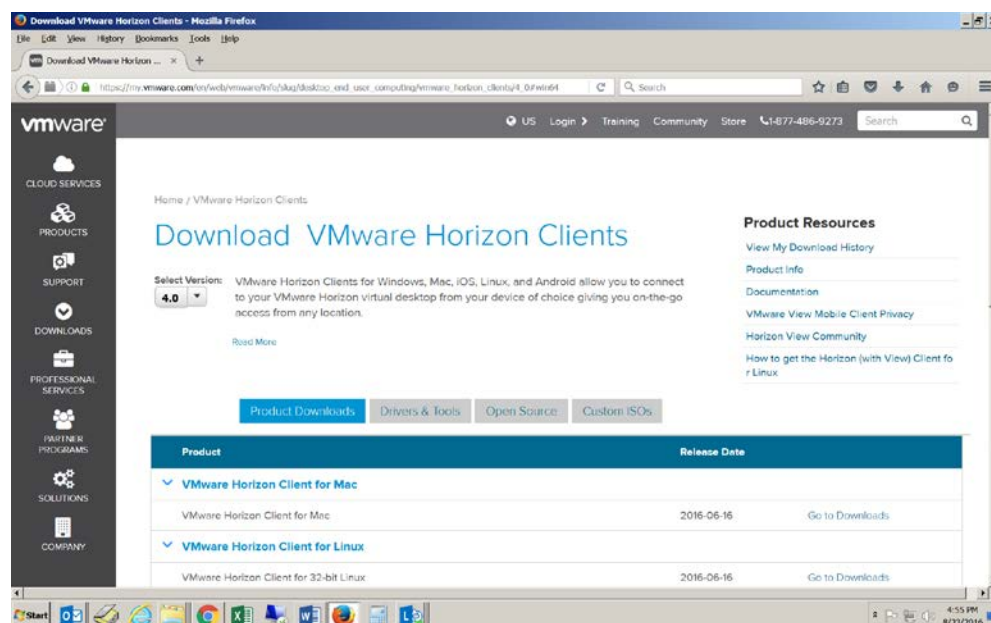
Installing and Using the Suffolk Virtual Desktop Infrastructure (VDI)

You can access the Virtual Desktop Infrastructure (VDI) either by downloading and installing the “client” (VMware Horizon) or via HTML (web aka BLAST) access. **For your clinic work, you should use the VMware Horizon client**, as it will allow you access to your local drive (S-drive), where you will be temporarily saving work before uploading it to Clio (the Clinical Programs online case Management System). Below are instructions to download the client and install it on your laptop or home computer.

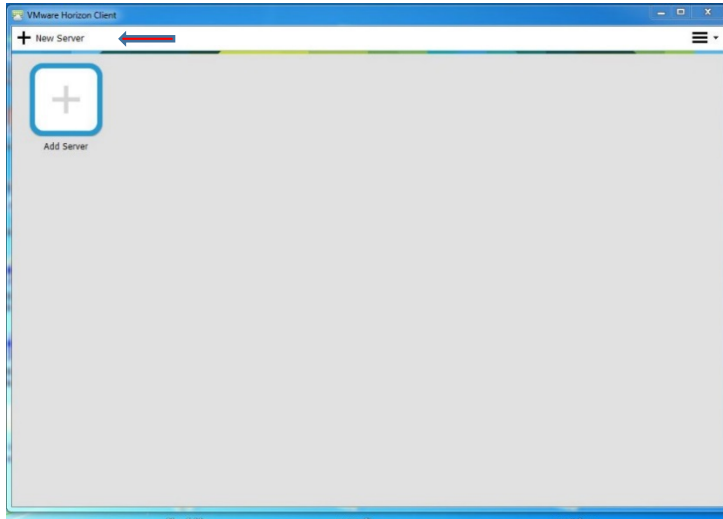
- 1) To download the VMware Horizon client, first go to desktop.suffolk.edu.



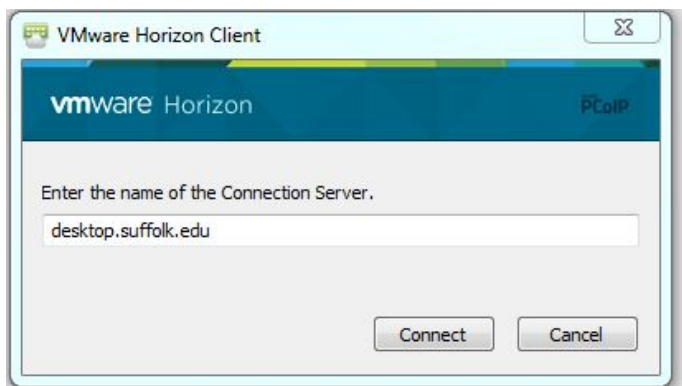
- 2) Next, find and click on the VMware Client that is specific to your operating system (Mac or Windows).



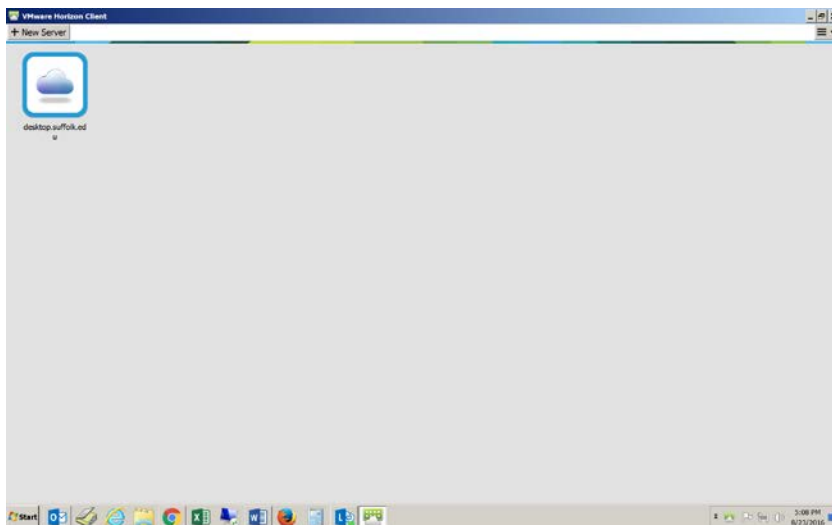
3) Click on New Server Button – you will see this screen.



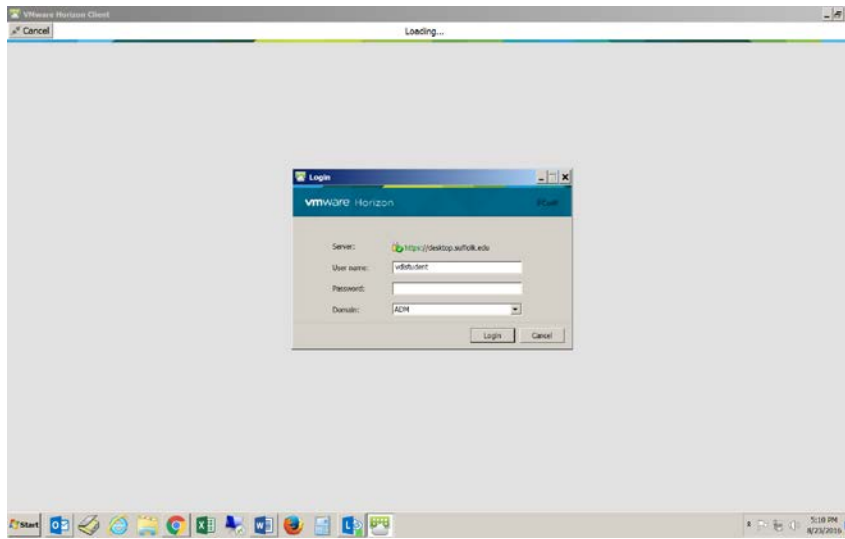
4) Enter “desktop.suffolk.edu” for the server name. Then click “connect.”



5) Double click to load desktop.suffolk.edu. (First time users, key in desktop.suffolk.edu as the connection server name)



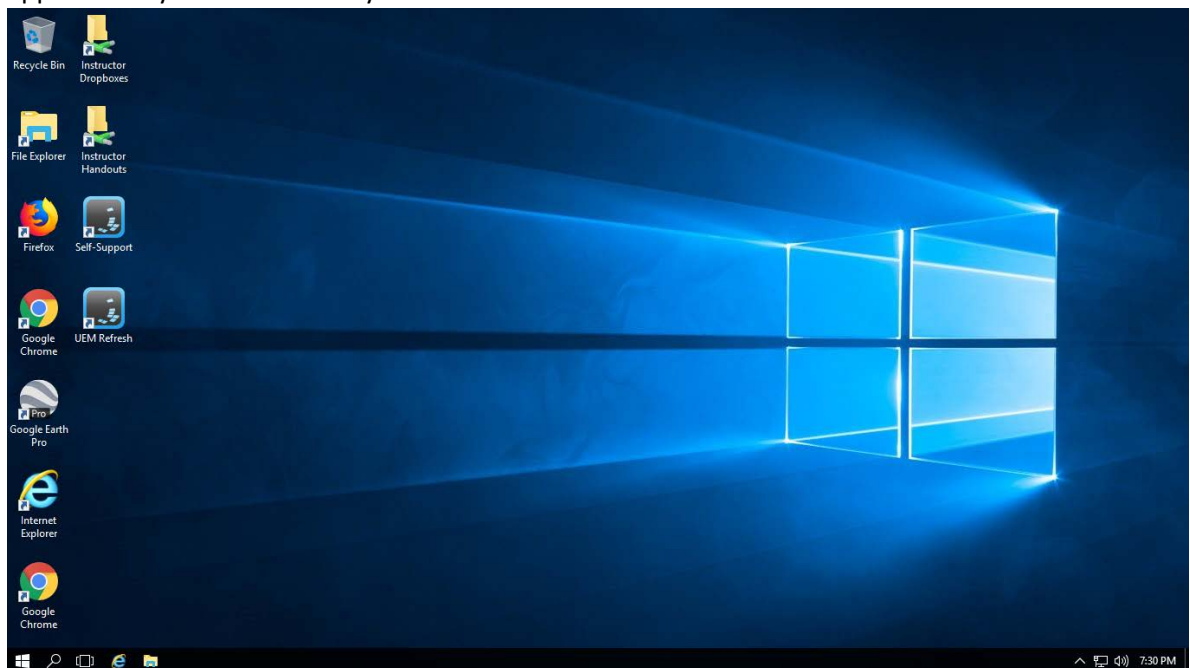
- 6) Login using your **Clinical email credentials** – this should be your “Clinical email” alias – “cl.student” (not your Office 365 University email).



- 7) Select the “VDI-Desktop” application.



- 8) You should then see the VDI-Desktop, with access to Clio, your S-Drive, Clinical Printers and all applications you will need for your Clinical Work.



Guidelines for Using the VDI

- 1) Only our “clinical email” address can be used to gain access to the VDI.
- 2) All Clinical work must be done inside of the VDI client. Do not conduct clinic work or save clinic work to desktops, clinical or non-clinical computers or drives that are NOT inside of the VDI environment. Similarly, do not use the VDI for any non-clinical work.
- 3) Your VDI virtual desktop can be customized by you. You can add links to websites and applications on your virtual desktops. Those will appear when you next log in.
- 4) You will access Clio through this VDI environment. When you download a document from Clio for editing, **please save it into your “S-Drive” in the VDI.** Do not save it to “downloads.” You will then need to upload that document back into Clio.
- 5) Never save clinical work onto the Clinic computers outside of the VDI. **The desktops and hard drives of the clinical computers are wiped nightly – and your work will be lost!! Again, all work must be done through the VDI client!**
- 6) You will print through the VDI. You will not have access to printers outside of the VDI.

APPENDIX 10

Clinical Programs Policies Regarding Document Security and Use of Technology

As Student Attorneys enrolled in Suffolk University Clinical Programs, you will have access to a range of case-related information, confidential client data, and other confidential materials necessary for your work in Clinic. This access comes with significant responsibilities under federal and state laws, as well as under the ethical rules that govern legal practice in Massachusetts. In short, you are the custodians of the data and information you acquire, handle, and use on behalf of your clients. The guidelines below will be strictly enforced by your clinical supervisor. Adherence to these guidelines is an important aspect of professionalism, as well as your ethical responsibility to your clients. Your clinical grade will reflect your compliance with these procedures. These are our core policies governing the security of our legal practice and our clients' information, but they are not meant to be exhaustive or cover every situation. You will receive training on these protocols during orientation and feedback and mentoring on these and other security protocols throughout your time in Clinic. If you have questions at any time about these or other policies concerning the security of our legal practice and our clients' information, please speak with your supervisor.

If you believe there has been a security incident, or you or your colleague has violated these procedures, please immediately report the incident to your Clinical supervisor!

I. Email Accounts

1. You have been assigned a Clinical Programs "work email" – cl.student@suffolk.edu. This is the email you should utilize for all clinical case-related transmissions. You must never use your Suffolk University Office 365 email account or any other email account to conduct clinic-related business. Use only your assigned Clinical Programs email for all case-related business, whether those emails are directed internally (to your colleagues or supervisor) or externally (to opposing counsel, clients, etc.). You may use your Office 365 student email to communicate with your professors about class assignments or other non-case related business only. There are no exceptions to this rule.
2. You will receive a temporary password for your Clinical Programs email account. You will be prompted to update and change that password. You should create a unique and strong password for this account that is not one utilized for any other purpose. Strong passwords contain letters, numbers, and characters.
3. Never auto forward or forward your Clinical Programs emails to any other email account. Once you have done so, you expose that email and its contents to further distribution or hacking, and open up your personal email account to future discovery in litigation.
4. You may use your mobile phone to check your Clinical Programs email, but only if that device is pin or password protected and set to auto-lock. If you have set up

your Clinical Programs email on your mobile phone, you must delete that email account from your phone at the end of the school year. If you have opened or viewed on your mobile device any documents attached to emails, there may be remnants of those documents on your phone that must be removed at the end of the school year. If you have questions about how to remove these remnants, please visit the IT Help Desk.

II. Clio and Cloud Storage

5. Clinical Programs uses Clio for case management. All clinic-related work must be documented in Clio. If documents, notes, phone calls, contact information, calendar entries, etc., are not recorded in Clio, it is as if they don't exist. You will not be given credit for the work, and you will jeopardize your Clinic's ability to document the work done on the case and/or transfer that case to future Student Attorneys.
6. Clio is a Cloud-based program, meaning that it can be accessed online at www.goclio.com. That said, you may never access Clio without going through our secure virtual network (VDI). Prior to doing any work in Clio, you must be on a device that has installed the VDI. When using Clio through our VDI, all documents you view and/or download from Clio will be stored on Suffolk Clinical Programs secure drives. Those documents can then be uploaded by you back into Clio, where they will remain secure. At no time should you *ever* open, edit, or save – even temporarily – any case-related document on any computer or device without going through the VDI.
7. Never use OneDrive, Google Docs, Dropbox, or any other Cloud-based document sharing or document storage program for your clinical work. This is strictly prohibited and there are no exceptions to this rule.

III. Sending and Receiving Electronic Records

8. You must take special precautions when sending or receiving electronic records that may contain Personally Identifiable Information (PII) and other case-related information. PII is information that can be used on its own or in combination with other information to identify an individual, such as date of birth, name, financial account numbers, Social Security Number, address, license and ID numbers, etc. PII can be found in most pleadings, medical records, government records, bank records, discovery, etc. PII is subject to the requirements of M.G.L. c. 93H and 201 C.M.R. 17.00.
9. Never attach case-related documents that contain PII to emails unless those documents are encrypted. Documents may be encrypted using Clio's secure email function or using Suffolk University's email encryption system. You must obtain your supervisor's permission before attaching any case-related documents to an email using your Clinical Programs work email.
10. Never email any document outside of the clinic that contains track-changes, comments, or other editing notes, unless you specifically have your supervisor's authority to do so. Simply "hiding" tracked changes in Word (e.g. "Show Final Markup") *does not* get rid of the tracked changes. The person who receives the document can very easily change the view and see all of your edits. Always

“Accept All” changes in a Word document before sending it outside of Clinical Programs. As a general practice, you should convert Word documents into Pdf format before transmitting them electronically.

11. If you receive any document or electronically stored information relating to the representation of a clinic client that you believe was inadvertently sent to you by an outside party, please bring it to the attention of your supervisor. You may have an obligation to notify the sender. (*See* M.R.P.C. 4.4(b))

IV. Personal Computers and Mobile Devices

12. You may use a personal laptop or desktop to conduct Clinic work, provided you access all case-related information and material through the VDI – our remote, secured desktop. If you are not working in the VDI, you are not complying with this rule. Your Clinical supervisor reserves the right to check any and all personal devices for clinic materials at the end of the year. If clinic material is found on your personal devices, you will be required to work with IT to install scrubbing software and eliminate those files. Please note that other files and programs may be lost during the scrubbing process, so you should avoid working on personal computers and devices outside of the VDI.
13. Never use a public laptop or desktop to conduct any Clinic work.
14. You may not use any mobile device (phone, iPad, Kindle, etc.) to conduct Clinic work, with two exceptions. You may place cell phone calls, as needed and authorized by your Clinic Supervisors, and in compliance with the protocols set forth below. You may also use mobile devices to view and send clinic emails, provided you comply with the email protocols above.
15. You may *not* use the Clio Mobile App to view or access Clinic-related work. In an emergency situation when you need access to Clio (such as when in Court or off-site at a meeting), you may call Clinical Programs and ask a colleague or administrator to access the information from Clio on a clinical programs computer.
16. You may not use a personal cell phone to take photographs of case-related documents, evidence, or other case-related images unless you have your supervisor’s permission and there is no alternative. Documents should be properly photocopied in the office. Evidence should be obtained using non-personal devices. If you must take photographs using your personal devices, you must disable Cloud-sharing and access to your photos by social media apps like Facebook, Instagram, Snapchat, etc. Clinic photos will need to be deleted from your phones at the earliest opportunity.
17. You may use the Clio Calendar to manage your clinic appointments and court dates. You may use the calendar on your mobile device or other electronic calendars to manage your time in Clinic, provided those entries do not contain any case information. For example, you may use case initials when entering a court date or meeting. Never enter case-related information in any personal, shared or public calendars.
18. Never place case-related documents on any personal USB device, thumb drives, or external hard drives. If you must use such a device, your supervisor can get you a

CLINICAL PROGRAMS

University-issued IronKey device that is encrypted and secured.

V. Meetings, Phone Calls, and Case Conversations

19. Case-related conversations and meetings, like phone calls, should be conducted in Clinical Programs spaces, out of earshot from individuals who are not associated with Clinical Programs. You may meet with clients and witnesses in Court and at their homes, or elsewhere, but only with your supervisor's permission.
20. When conducting case-related business on the telephone, be sure to make calls from a secure location so that members of the public and non-Clinic students cannot overhear. Avoid the temptation to take calls on the train, bus, or on the street. If you must do so, be discreet.
21. Never leave detailed voicemail messages containing confidential client information, unless specifically authorized to do so by the client and your supervisor.
22. At no time may you discuss or reveal *any information at all* related to any Clinical Programs case (yours or another student's) with *anyone* outside of your Clinic, unless authorized by your client for the purpose of representation and the conversation has been cleared in advance with your supervisor. It does not matter whether the information you wish to discuss is favorable to your client or already known in the litigation –the fact of representation itself is protected. It does not matter whether the case is closed or you are no longer enrolled in Clinic. Your duty to protect confidential case-related information is very broad and it lasts forever – even following the death of a client! There are very narrow exceptions to this rule that apply in very rare circumstances – and those situations should be discussed in advance with your supervisor. You must review and be very familiar with your obligations to protect client confidentiality under M.R.P.C. 1.6.

VI. Clinical Space, Paper Files and Case-Related Documents

23. All case-related documents must be maintained in the client file and kept in a secured clinical programs file cabinet when not in use. Do not keep loose papers associated with your case, as loose papers are easily lost and difficult to track. Do not keep files on desks, tables, near the copier or elsewhere when you are not using them. Never leave case-related files and documents in any public spaces.
24. You may not leave the Clinical Office with a client file or document without your supervisor's permission. You must maintain control over and protect the security of any and all case-related documents in your possession.
25. Avoid making excess duplicates of case-related documents. Make only those copies you will need.. You should shred (in the Clinical Programs shredders) excess duplicates.
26. You may only use Clinical printers to print, copy and scan case-related documents. You may not use the printers in the Suffolk University Law School library or any other non-clinical printers on campus for case-related information. You may not print from home printers without your Supervisor's express permission. Clio has been set up to print to the Clinical Programs printers. You may not use Clinical printers for any non-clinic related business.

27. The Clinical Program Suites (110, 140, 150, 160) are for clinical students, faculty, staff and clients only. You may not bring non-clinical friends or fellow students into the space. This ensures a safe, confidential environment in which you and your colleagues may perform legal work.
28. The doors on the Clinical Program Suites will be locked outside of business hours. You will receive a door code. You may not share this door code with anyone outside of Clinical Programs. You may not leave the door to any Clinical Programs suites propped open outside of business hours. This ensures the security of our client files and is meant to protect your safety.

**THANK YOU FOR YOUR COOPERATION IN SECURING OUR LAW
PRACTICE AND PROTECTING THE PRIVACY OF OUR CLIENTS!**

APPENDIX 12.

STUDENT PREAPPROVAL REQUEST FOR REIMBURSEMENT

**MUST HAVE APPROVAL IN ADVANCE OF CLINICAL PROFESSOR*

**MUST HAVE SIGNATURE OF CLINICAL PROFESSOR WHEN SUBMITTING
FOR REIMBURSEMENT PAYMENT*

SUMBITTED ON _____

STUDENT NAME _____

STUDENT ADDRESS _____

CASE NAME _____

EXPLANATION OF
REIMBURSEMENT _____

DATE OF EXPENSE _____

AMOUNT OF EXPENSE _____

IF DRIVING - FINAL MILEAGE _____

APPROVED BY: _____

DATE _____

***PLEASE NOTE WHEN SUBMITTING FOR REIMBURSEMENT ATTACH ALL ORIGINAL
RECEIPTS TO SIGNED PREAPPROVAL FORM. IF BEING REIMBURSED FOR AUTO
TRAVEL MUST INCLUDE FINAL MILEAGE UPON RETURN WITH PRINT OUT FROM
MAPQUEST.**

Reimbursement Procedures

Students should never purchase or spend money expecting reimbursement without the prior consent of a Clinical Faculty member or the Clinical Director. If you should receive approval, in order to obtain reimbursement you must have the original receipt and submit to Joan. There is no reimbursement for MBTA or parking near the school. The University does not reimburse for rental or “zip cars”. There is reimbursement for cab rides in extraordinary circumstances only. In some instances with pre-approval in advance, a student may be reimbursed for mileage/parking on case related work that is at a distance from the Law School or other related emergency expenses. The signed reimbursement form should be submitted to Joan or Vivian with original receipts and/or print out of map for mileage purposes.

(Original Form in File -- Copy to Administrator for Opening in Clio)

STUDENT ATTY(s):

<p>Conflict Check Completed <input type="checkbox"/></p> <p>Date of Conflict Check</p>	<p>Conflict Check Results Attached <input type="checkbox"/></p> <p>Description of Results:</p>
<p>Case approved to be opened <input type="checkbox"/></p>	<p>_____</p> <p>(Supervisor's Signature - REQUIRED)</p>

Case Name (“Description” in Clio):	Judge/ ALJ:
Court/Agency:	Court/Agency Docket #
Referral Source:	Scope of Representation:
Clinic-specific Case Type (see Clio Matter form for choices):	
Brief Case Synopsis:	

CLIENT INFORMATION (Contact to be entered Administratively)

Name:		Gender Expression:		Date of birth: ____/____/____ MM / DD / YY	
Title (if app.):		Company (if app.):			
Other Names/ Aliases:		Marital Status:			
Street Address:		City/Town:	Zip Code:	Public Housing? Y / N	
Phone #:	Alternative #:	Alternative #:			
Interpreter Needed? Y N	Primary Language(s):	Race/ Ethnicity:			
U.S. Immigration Status:	Email:				
Household Monthly Income:		Sources of Income:			
Number of People in Household		Number of Dependents:			
Additional Notes:					

OPPOSING PARTY INFORMATION (Contact to be entered Administratively)

Name:		Gender Expression:		Date of birth: ____/____/____ MM / DD / YY	
Title (if app.):		Company (if app.):			
Other Names/ Aliases:					
Street Address:		City/Town:	Zip Code:		

Phone #:	Alternative #:	Alternative #:
Interpreter Needed? Y N	Primary Language(s):	Email:
Additional Notes:		

OTHER RELEVANT CONTACTS (*MUST be entered BY STUDENT - e.g. family, witnesses, opposing party, etc.)

Name:	Relation (e.g. family, O.P., witness, etc.):		
Email:	Phone #:		
Address: () Same as client	City/Town:		

Name:	Relation (e.g. family, O.P., witness, etc.):		
Email:	Phone #:	Alternative #:	
Address: () Same as client	City/Town:	State:	Zip Code:

Name:	Relation (e.g. family, O.P., witness, etc.):		
Email:	Phone #:	Alternative #:	
Address: () Same as client	City/Town:	State:	Zip Code:

Name:	Relation (e.g. family, O.P., witness, etc.):		
Email:	Phone #:	Alternative #:	
Address: () Same as client	City/Town:	State:	Zip Code:

CLINICAL PROGRAMS CASE CLOSING MEMORANDUM
(Must be Signed by Student and Supervising Attorney – PLACE ORIGINAL IN FILE)

TO:	[Supervisor]
FROM:	[Student Attorney]
CLOSING DATE:	[Date Submitted to Supervising Attorney/Faculty]
CLINIC/PRACTICE AREA:	
APPROVED BY	[Name of Supervising Attorney/Faculty]

CASE INFORMATION

Client's Full Name (First, Middle, Last):	Clio Case Number:
Student Attorney(s)	Intake Date:
Supervising Attorney/Faculty:	Court/Agency:
Court/Agency Docket #:	Judge/ALJ:
Referral Source:	Clinic-Specific Case Type:
Scope of Representation:	Clinic-Specific Disposition:
Monetary Award/ Settlement/ Value of Relief:	Hours Worked on Case (approximate):
List of People entered into Clio (At minimum Client and Opposing Party):	

CLIENT'S OBJECTIVES: Brief description of issue(s) and client's goal(s).

--

CLINICAL PROGRAMS CASE CLOSING MEMORANDUM
(Must be Signed by Student and Supervising Attorney – PLACE ORIGINAL IN FILE)

WORK DONE: Summary or work done by Clinic on Case:

CASE OUTCOMES: Brief description of the outcomes & extent to which client goals were met:

Any ongoing or unresolved issues? ☐ Yes ☐ No
If, Yes, Describe:

Is our office assisting with ongoing/unresolved issues? ☐ Yes ☐ No
If, Yes, Describe:

CLINICAL PROGRAMS CASE CLOSING MEMORANDUM
(Must be Signed by Student and Supervising Attorney – PLACE ORIGINAL IN FILE)

CASE FILE CLOSING CHECKLIST

Use "X" if completed:

- ☐ All necessary court/administrative orders entered into Clio & paper file.
- ☐ Notice of motion to withdraw/substitution of counsel filed, served, & in Clio/ paper file (if applicable).
- ☐ Remaining or outstanding trust fund money returned to client (if applicable).
- ☐ Original documents returned to client.
- ☐ Extra copies and extraneous materials removed from file and shredded (if contain client information).
- ☐ Copy of closing memo in file and Clio.
- ☐ New law, useful memos/research and/or sample pleadings, etc., redacted and saved on shared drive or in Clio template matter (if applicable).
- ☐ All clients, opposing parties, attorneys, witnesses, experts, etc. entered as Contacts in Clio.
- ☐ All case-related documents, pleadings, notes, memos, etc. are in paper file and scanned/saved in Clio.
- ☐ All case activity notes and time entries are documented in Clio.
- ☐ Closing letter sent to client.
- ☐ No confidential case-related information or documents are in your non-clinic email, on personal devices, on laptops or other personal computers.

Faculty/Supervising Attorney Signature and Date

Student Attorney Signature and Date

Appendix 15

Include the following language in civil closeout letters sample letter APPENDIX. This requirement applies to all clinics. CRIMINAL CLINICS (DEFENDERS & JUVENILE DEFENDER) NEED TO SEEK THE GUIDANCE OF THEIR SUPERVISOR REGARDING THE SPECIFIC LANGUAGE FOR THEIR CLOSE OUT LETTERS.

Sample Case Closing Letter

Date

Address

Re: Case Name and docket #

Dear Client,

It has been my pleasure working with you on your [XX] case. As the Suffolk Health Law Clinic's work on your case is now completed, I am writing to let you know that I will be closing your case.

[Describe the outcome of the case and any follow-up needed by the client. Include the names/numbers of any resources that might be helpful.] I have enclosed copies of [attach any relevant final orders and judgments, even if the client already has them].

If you have any questions concerning your case, please feel free to contact me at [phone number].

In the normal course, the *name of clinic* retains your file for seven years. After seven years, your file will be destroyed. If you would like a copy of your file now or at any time prior to the end of the seven year period, please let us know. Again, I enjoyed working with you and wish you and your family the best going forward.

Sincerely,

Student Name

Suffolk University Law School Clinical Programs

ASSESSMENT AND GRADING CRITERIA

You will receive formal and informal feedback throughout your time in your Clinic and one letter grade at the end of the year for your participation in the Clinic. Your clinical professors will use the following criteria to evaluate your performance. Meeting each of these criteria is critical to becoming an excellent lawyer. At the conclusion of the first semester, your clinical professors will meet with you and evaluate your performance based upon these criteria. At the end of the year, you will meet again with your professors and you will receive a written evaluation based on these criteria.

A note about grading: Participation in a clinic requires hard work. Ethical obligations of competence and zeal require attorneys to work hard on every case, and your professors will expect you to fulfill this obligation. It is likely that at the end of your clinic year you will feel that you have worked harder in this course than in any other course in law school. While your professors appreciate and recognizes the effort you will put in, hard work alone does not guarantee an “A.” Hard work is a minimum requirement for all clinics.

Your professors will consider effort as well as the other criteria listed below in determining your final grade. Similarly, clinical professors recognize that students want to help your clients obtain the relief they desire and that “winning” your first case will take on a special significance to you. While it is rewarding to “win” a case on behalf of a client, your grade in Clinic will not depend on whether you win or lose your cases. Your grade will depend on the quality of your preparation and your handling of your cases, as assessed using the criteria below.

Upon successful completion of this course, students are expected to know and demonstrate:

1. Professional Habits and Ethical Obligations of Successful Attorneys;
2. Fundamental Lawyering Skills and Values;
3. How to Think Critically and Exercise Professional Judgment; and
4. How to Successfully Implement the Components of Cross-Cultural Competence in Lawyering.

1. Professional Habits and Ethical Obligations

- a. Did the student develop an appropriate **relationship** with the **student’s supervisor**?
- b. Did the student keep track of **case developments** and meet **deadlines**?
- c. Did the student **keep the clients advised** of developments in their cases?
- d. Did the student perform casework in a **reliable, timely, thorough** manner?
- e. Did the student keep the case **organized and up-to-date**, and make appropriate use of time management software and filing systems?
- f. Was the student **thoroughly prepared** for all professional meetings?
- g. Did the student’s arguments, examinations, and evidentiary decisions **demonstrate an understanding** of the facts, theory of the case, law, and applicable rules and procedures?
- h. Did the student **take the initiative** in raising issues, researching and strategizing?
- i. Did the student **prioritize client** work and take clinical responsibilities seriously?
- j. Was the student **open to feedback** and critique?

- k. Did the student **reflect critically** on his or her own performance, and learn from feedback and from his or her own reflections?
- l. Was the student willing to **experiment** with new ways of doing things?
- m. Did the student **handle mistakes** properly, including taking responsibility, immediate action, and reflecting on the mistake?
- n. Did the student maintain **respect for the client** at all times?
- o. Did the student **interact effectively** with adversaries, court personnel, and other institutional participants or players?
- p. Did the student show respect for and collaborate effectively with **other clinic students** and staff?
- q. Did the student identify, analyze and properly handle applicable **ethical issues** when they arose, including keeping the supervisor informed?

2. Fundamental Lawyering Skills and Values

- a. Did the student effectively **interview** clients and witnesses?
- b. Did the student effectively **counsel** clients?
- c. Did the student demonstrate sufficient **listening** skills?
- d. Did the student do sufficient **legal research** to identify all appropriate theories?
- e. Did the student perform effective **factual investigation**?
- f. Was the student **creative and determined** in their pursuit of factual information for their cases?
- g. Was the student's **writing** precise, clear, concise, and well edited?
- h. Did the student's written advocacy **advance immediate and long-term objectives**?
- i. Did the student **negotiate** effectively?
- j. Was the student **fully prepared** for any in court appearances?
- k. Did the student's oral advocacy possess the **appropriate content, delivery, organization and narrative**?
- l. Did the student convey the **proper tone and level of respect** during her oral advocacy?
- m. Did the student **appropriately respond to the fact finder's questions**?
- n. Did the student act in ways to **promote justice and fairness**?
- o. Did the student regularly **attend class**?
- p. Did the student **participate** frequently class discussion?
- q. Did the student do all assigned **reading and exercises**?
- r. Did the student prepare for and participate effectively in **simulations**?

3. Critical Thinking and Professional Judgment

- a. Was the student able to synthesize factual and legal information to form an appropriate **theory of the case**?
- b. Was the student able to properly identify **issues of fact and law**?
- c. Did the student anticipate and respond to **adverse legal and factual arguments**?

- d. Did the student engage in thoughtful, informed, reflective **strategic decision making**?
- e. Was the student able to recognize and appropriately address **complex situations**?
- f. Did the student exercise sound **professional judgment**?
- g. Is the student able to sufficiently **critique** his or her own performance?
- h. Was the student able to appropriately **evaluate** the strength of their cases?
- i. Did the student help clients **make well-informed decisions**?
- j. Did the student actively **critique the systems** within which the student operated?

4. **Successful Implementation of the Components of Cross Cultural Competence**

- a. Did the student use appropriate **listening skills**?
- b. Did the student develop the ability to **adjust plans** based upon clients' responses?
- c. Was the student able to identify **similarities and differences** between the student and the client, and between the client and the decision maker (i.e., the judge)?
- d. Was the student able to identify **alternative interpretations** for client behavior?
- e. Did the student develop a client narrative from a **strengths-based or empowerment** perspective?
- f. Was the student able to **engage the client** in identifying appropriate options for resolving the client's problem?
- g. Did the student explain legal concepts using **non-legal language**?
- h. Did the student examine his/her own **assumptions and personal biases**?
- i. Did the student practice **client-centered lawyering**?
- j. In counseling, interviewing and advocating for the client, did the student **identify, process and validate the client's concerns and priorities**?
- k. Did the student **implement advocacy strategies that incorporated the client's concerns** and priorities?