

**TEXAS SOUTHERN UNIVERSITY**

**THURGOOD MARSHALL SCHOOL OF  
LAW**



**CLINICAL LEGAL STUDIES  
PROGRAM MANUAL**

**EFFECTIVE NOVEMBER 27, 2007**



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CLINICAL LEGAL STUDIES PROGRAM  
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**WELCOME TO THE THURGOOD MARSHALL SCHOOL OF LAW**  
**CLINICAL LEGAL STUDIES PROGRAM**

We are pleased that you have joined the Clinical Legal Studies Program. We have an exciting and fulfilling clinical experience planned for you and hope to provide you with unique opportunities to develop your professional skills while simultaneously providing much-needed legal services to historically underrepresented populations.

Since the early 1950s, Thurgood Marshall School of Law has provided clinical education to students and services to the community through its Clinical Legal Studies Program. Our Clinical Legal Studies Program is firmly rooted in the advocacy and assistance of those underrepresented in our society.

The legal clinics are designed to provide each participating student with a quality clinical experience. The Clinical Legal Studies Program is divided in categories to include a classroom component, externships, and live-client representation.

During their third year, students have an opportunity to participate in a variety of clinical programs. The Clinical Legal Studies Program ensures various avenues for students to work on real cases as part of their legal education. Students work and interact directly with individual clients in one of our live-client clinics or by close observation and hands-on participation in one of our externship clinics. Our legal clinics offer students an alternative method in learning the lawyering process that is not obtained from substantive law courses. Our goal is to prepare students for a profession that requires both substantive and skills knowledge.

The attached manual is provided for you to help you get acquainted with our goals and expectations for your service. If you have any questions, concerns, or suggestions regarding the policies and procedures herein, please feel free to stop by. Best wishes and good luck as you begin a new chapter in your legal education and in the life of TMSL.

Lydia D. Johnson  
Director  
Clinical Legal Studies Program



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EQUAL OPPORTUNITY POLICY

It is the policy of Texas Southern University and the Thurgood Marshall School of Law Clinical Legal Studies Program to provide equal opportunity in employment, contracts, subcontracts, and purchase orders within the University and in all agreements or contracts with outside vendors or contracts with communities. This policy of equal opportunity expressly prohibits discrimination in all areas based on race, color, religion, gender, age, disability, or national origin, and provides for the full realization of equal opportunity through a positive and affirmative action program. All programs will be administered without regard to race, color, religion, disability, age, or national origin.

DRESS CODE

All students are expected to dress appropriately for clinic appointments with clients and witnesses. Our clients come from all walks of life and from many different cultures, and what is acceptable in our culture may be offensive or provocative to them. Clinic students should strive to dress and act in a professional manner at all times-when clients are present.

Clothing should be clean, ironed, and in good repair. Shoes should be clean and in good condition. Hair and makeup should be neat and tasteful. Jewelry should be minimal and non-distracting. Tattoos, brands, and unusual body piercings should generally be covered by clothing.

**None of the following items should be worn:**

- Tank tops / sleeveless shirts
- Athletic shoes
- Jogging suits / track suits
- Jeans or denim clothing
- Clothing with large logos or slogans
- Miniskirts
- Hats
- Dirty, torn, or excessively worn clothing
- Flip flops/ sandals
- Shorts
- T-shirts
- Too tight or revealing clothing

**All students are required to dress professionally for administrative and court hearings.**



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**The following clothing may be worn:**

**FOR MEN:**

- Conservative gray, black, navy, or brown two or three piece suits  
(**No loud patterns**)
- White, cream, or light blue collared shirt
- Coordinating subtly patterned tie (**No garish prints or wild colors**)
- Dress socks in coordinating color
- Dress shoes in black, brown, or navy

**FOR WOMEN:**

- Conservative gray, black, navy or brown skirt suit or pants suit
- Coordinating blouse (**No loud colors**)
- Pantyhose in skin tone color
- Dress shoes in black, brown or navy

Both men and women should carry appropriate dark-colored briefcases, portfolios, and handbags as necessary.

Clients should also be advised to follow the above guidelines to the best of their ability. If a client does not presently own appropriate clothing, please provide them with a list of local thrift or resale shops. A list is maintained by the Office Administrator.

## WORK SCHEDULE

The Clinical Legal Studies Program office is open for business from 8 a.m. to 5 p.m., Monday through Friday, during all times that law school classes are in session. Depending on need, the office may operate for extended hours by agreement with the instructor and the Director of the Clinical Legal Studies Program.

Every student in the program is expected to attend scheduled classes or meetings. In addition, students may be required to meet with the instructor individually to discuss personal matters such as writing/research assignments, case status and progress, and individual concerns.

In addition to classroom sessions and individual meetings, students will be required to work a minimum of **6 hours per week**. Clinic hours will be scheduled for the student based on their course load for that semester.

During scheduled clinical hours, students will be asked to meet with clients, create files, create documents, answer phone inquiries, etc. Students will also likely spend additional hours in the office working on cases and meeting with clients. Every student must provide the instructor their suggested workload during the first week of class.

Because students do not have keys to the clinical office, it is imperative that any student(s) who wishes to work in the clinic after hours or on weekends notify their instructor and the Office Administrator so that reasonable accommodations can be made.



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## HOLIDAY SCHEDULE

The clinic office is closed on all regular TMSL holidays and during official TMSL vacations. Clinics operate on a reduced schedule during examination periods and during the summer. Students in the clinics and externships should be mindful of the fact that most government offices are closed on non-TMSL holidays, such as Veterans Day or Presidents' Day. All holidays and vacations are marked on the office calendars for reference.

## ETHICS

Students are expected to observe the highest standards of ethical behavior and to perform their duties accordingly. In accordance with Texas Southern University policy, students **MUST NOT:**

- accept influential gifts, favors, or services from clients or related parties
- disclose confidential information to outside parties, no matter how such information is obtained
- accept employment or compensation that could cause an impairment of independent judgment or create a conflict of interest
- solicit, accept, or agree to accept any benefit for clinical work
- destroy or waste public property
- act in a biased or discriminatory manner
- fail to report intentional waste, fraud, abuse or corruption
- take action that violate any laws or the Texas Rules of Professional Conduct

Clinical students are expected to fully devote their time and talents to their assigned duties and responsibilities. While outside employment is not prohibited, students must take care to avoid even the appearance of any conflicts of interest between themselves and the Clinical Legal Studies Program or the Program and its clients. If a student is aware of any fact or circumstance that could give rise to a conflict of interest, he or she must report any information immediately to the Clinical Instructor and/or the Director of the Clinical Legal Studies Program.

## CONFIDENTIALITY

It is understood that clinical students will come into contact with confidential information as part of their work in the clinics. Client information is ALWAYS confidential, and care must be taken to ensure that client confidences are protected at all times. Care must also be taken to ensure that the attorney-client privilege is not jeopardized by intentional or inadvertent disclosures of information to third parties.



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Students in a clinic MAY discuss their cases among students in the same clinic and with the Director of the Clinical Legal Studies Program and the Clinical Instructors. Students MAY not discuss the specifics of their case(s) with students in other clinics or students not enrolled in the Clinical Program. Students MAY NOT discuss the specifics of their cases with other TMSL faculty members or administrative staff or any outside parties.

Clinical students should recognize that after their term of service ends, they are no longer entitled to confidential information about their cases. Students must also remember that they must keep secret all confidential information AFTER their term of service ends. It is imperative that students ensure that no confidential information remains in their possession after their term of service ends. Finally, no student can make use of confidential information for his or her own benefit or the benefit of anyone outside of the Clinical Legal Studies Program.

Students who enroll in any clinic acknowledge and agree by their participation that if they cause harm to the Clinical Legal Studies Program or its employees or to TMSL or to TSU and its employees, students, or regents; the Clinical Legal Studies Program and TMSL have the right to take necessary discipline action. Disciplinary action may include, but is not limited to, termination from the clinical program, a reduction in a student's final grade, or in serious cases, dismissal from TMSL. Students further acknowledge and agree that TSU and TMSL reserve the right to pursue criminal or civil remedies for breaches of this policy.

## **SAFETY**

All students should familiarize themselves with the layout of the Clinical Legal Studies Program office and to learn how to get out of the building in case of emergency. Students should also familiarize themselves with the location of all fire extinguishers and nearby police department call boxes. For any emergency, contact the TSU Police Department by dialing 7000 from any campus phone. Do NOT dial 911 first as the 911 system is unable to recognize specific locations on campus. The TSU Police Department will contact EMS or the Houston Fire Department for assistance as needed.

There is no smoking in any campus buildings. Candles, incense, and other flammable materials are not permitted in the Clinical Legal Studies Program office. In case of a fire, immediately assist any person in danger to safety. Activate the building's fire alarm system. If a fire is small enough, use a fire extinguisher to control or contain the fire. Regardless, it is TSU policy that everyone must evacuate the building and proceed to a designated area for a head count. No one may reenter the building unless authorized by the Houston Fire Department.

Food and drinks (in cans or bottles) are permissible as long as trash is deposited in the appropriate receptacles. Students should not eat in front of clients or witnesses in the clinic office. Students are encouraged to consume particularly odiferous foods and drinks outside of the office.



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Students are expected to conduct clinic business in the Clinical Legal Studies Program office. Students may not work in the clinic office during regular business hours without the presence or permission of the Director or the clinical instructor. **UNDER NO CIRCUMSTANCES** should students meet with clients and witnesses outside of the clinic office. Students should not meet with clients or witnesses after regularly scheduled clinic hours **without** an instructor being present. Clients and witnesses who work should be encouraged to take advantage of early morning or late afternoon appointments. Students should **NOT** offer to schedule evening or weekend appointments unless the student has discussed the case and any scheduling difficulties with the clinical instructor.

Students should not agree to pick up documents or other information from a client's or witness' residence or place of business. Students should not provide transportation to clients or witnesses to hearings or interviews.

During client or witness meetings, students should arrange to sit in the chair closest to the door. Students should endeavor to conduct all meetings in a calm and professional manner. If a client becomes irate or violent, students should immediately leave the room and seek the assistance of the Office Administrator, any clinical instructor or the Director.

If a client or witness suffers any kind of medical or psychological emergency while in the clinic, students should seek the assistance of the Office Administrator, any clinical instructor, or the Director. If necessary, the Office Administrator, clinical instructor, or Director will contact the TSU Police Department for emergency medical services.



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**TELEPHONES**

The main switchboard number for Texas Southern University is 713-313-7011. The main switchboard number for Thurgood Marshall School of Law is 713-313-4455. The main number to the Clinical Legal Studies Program is 713-313-7275. The main number to the Office Administrator is either 713-313-7275 or 713-313-1075. Potential clients should be encouraged to call the Office Administrator for information, rather than the clinical instructor directly.

**The following phone numbers are for the Clinical Instructors and Staff:**

<b>Name</b>	<b>Title</b>	<b>Phone Number</b>
Professor Lydia D. Johnson	Director of Clinical Program & Criminal Clinical Instructor	713-313-7004
Professor Martina E. Cartwright	Wills & Probate Clinic Clinical Instructor & Staff Attorney	713-313-1019
Professor Thelma L. Harmon	Civil Law Clinic Clinical Instructor & Staff Attorney	713-313-1144
Professor Maurice Hew	Immigration Law Clinic Clinical Instructor & Staff Attorney	713-313-1006
Professor Shawn McDonald	Innocence Project Clinical Instructor & Staff Attorney	713-313-1130
Mrs. Norma Lemon-Pearson	Office Administrator	713-313-7275 713-313-1075

To reach a TSU employee or department on-campus, dial the appropriate 4-digit extension.

- To dial a local number, dial 9 + area code + phone number.

- To dial a long-distance number, please see the Office Administrator or respective clinical instructor. They will make the phone call for you using their long-distance authorization number. **No personal long distance phone calls can be made using the Clinical Legal Studies Program telephones.** Clinic students must document when and to whom a long distance call was made.

- To transfer phone calls from one TSU extension to another, press "Transfer" and dial the extension, press "Transfer" again to complete the call.

- To transfer to TSU operator, dial "0".



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## MAIL SERVICE

The TSU Post Office is located in the Airway Science Building. All outgoing mail should be given to the Office Administrator to be mailed. Mail is picked up from the TMSL twice daily.

When mailing client letters, be sure to use a Clinical Legal Studies Program envelope. For items that are bigger than the provided envelope, give to the Office Administrator to mail; as there are certain forms that must be attached to all documents being mailed. When preparing outside correspondence, such as Priority, Express or Overnight mail, please give to the Office Administrator to complete. Do not seal any envelopes or packages being mailed from the Clinical Legal Studies Program.

TSU interoffice mail should include the addressee's name, department and building.

When documents are being filed with any government agency, they must be sent via certified mail with a green USPS certified mail receipt attached. In urgent cases, documents may be sent via USPS Express Mail or Priority Mail. The green postal return receipt should be addressed to the relevant instructor in the clinic office. The client's name, case number, and the correspondence involved should be written on the back of the return receipt at the bottom for record keeping purposes. This information should also be written on the back of the certified mail receipt that is franked by the post office. All mailing receipts should be promptly stapled to the appropriate correspondence.

**DO NOT** wait until the last minute to mail correspondence. Students who miss the above deadlines and have urgent mail may be required to mail correspondence with their own funds and seek reimbursement from TMSL.

**Clients should ALL address correspondence to the appropriate clinic and/or clinical instructor and not to individual students.**

Each student will have a mailbox in the clinic office. It is **IMPERATIVE** that each student checks their mailbox daily, as instructors do pass along information and correspondence to you that is time and case sensitive.

***ALL STUDENTS ARE REQUIRED TO CHECK THEIR RESPECTIVE CLINICAL BOXES EVERY TIME THEY COME FOR CLINICAL HOURS. IT IS VERY IMPORTANT THAT EACH STUDENT CHECK THE CLINICAL BOXES DAILY, DUE TO THE LARGE NUMBER OF PHONE CALL INQUIRIES AND WALK-IN CLIENTS EACH CLINIC RECIEVES.***

## OFFICE SUPPLIES AND FIXTURES

Students are reminded that **ALL** office supplies and fixtures (computers, desks, file cabinets, etc.) are the property of TSU and by extension, property of the State of Texas. Care should be taken to ensure that office supplies are not wasted and that school property is not damaged by students or clients.



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While the program receives many donated supplies, these items are for the benefit of the clients. Please do not view the office as a personal office supply store. Taking and using office supplies for personal use is a violation of TSU policy.

If a student notices that the supply of a particular item is running low, he or she should notify the Office Administrator so that replacements can be ordered. If a student needs a particular item that is not ordinarily kept in stock, s/he should submit a written request to the Office Administrator in advance of the actual need.

Certain items in the clinic office are the personal property of the instructors. Students should not use any personal property without permission from the instructor.

## INTAKE & APPOINTMENT PROCEDURES

### I. Initial Appointment Procedures

When a client arrives at the office for his or her scheduled appointment, the Office Administrator will announce their arrival to both to the student attorney and the clinical instructor. The Office Administrator will give the client the following documents: Intake Form, Questionnaire (clinic specific), and the Applicant Financial Statement. These documents will need to be completed in the waiting area.

When the client is finished filling out the information sheet, the Office Administrator will notify the student attorney that their client has finished their paperwork. The student attorney will then escort the client to an interview room to review the basic biographical information, questionnaire information and intake information. The student attorney should then perform the income screen to determine the client's eligibility for services. Even if the client does NOT appear to qualify for clinic services, the student attorney should consult with the clinical instructor to confirm before informing the client.

At that time, the student attorney will go and retrieve their clinical instructor who will then meet with the client. During this time, the clinical instructor will be able to determine if/if not we are able to take the client's case and if they do/do not meet the income guidelines.

The student attorney should also make copies of any relevant documents (drivers license, id card, social security card, passport, visa, court related documents, and any other documents that might be relevant to the case.) to aid the supervising attorney in reviewing the case. At the end of the appointment, the student attorney should remind the client that the supervising attorney will contact them to accept the case or refer them to another organization or attorney.



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**II. Walk- In Appointment Procedures**

When a walk in client arrives at the office, the Office Administrator will have the client sign their name on the WALK IN CLIENT LOG SHEET. The client will be given an Intake form as well that will need to be completed in the waiting area.

Once the documents have been filled out, the client will return the forms to the Office Administrator, who will determine which clinic (if any) the client will need to be sent to.

If the client has a type of legal matter that we do not specialize in, the Office Administrator will give the client a Referral Form; which will include a list of legal aid agencies that handle that type of matter. If the client also wants the name of an attorney who may specialize in that area, see one of the clinical instructors for a referral.

If the client has a type of legal matter that we do specialize in, the Office Administrator will give the client a questionnaire, as well (clinic specific). Once the client has completed that document, the Office Administrator will get one of the student attorneys from the respective clinic to assist the client and sit with them and go over their paperwork. If no student from that respective clinic is available, then the clinical instructor will need to be notified regarding the walk-in client.

**III. Follow-Up Appointment Procedures**

If a client's case has already been accepted for representation by the clinic, and the client or witness is coming to meet with the student attorney or clinical instructor, the Office Administrator will promptly inform the Appropriate individual of their arrival. Clients and witnesses should wait in the reception area until escorted to the interview room or the clinical instructor's office.

**Under no circumstances shall clients and witnesses be allowed to wander around the clinic office.**

Student attorneys are responsible for scheduling follow-up appointments for clients. Student attorneys MUST ensure that all appointment is entered correctly on the student attorney calendar or else risk being double booked. (The student attorney calendar is located on the desk of the Office Administrator. Please make sure to check with the Office Administrator first, to avoid double bookings. He/she will then mark the appointment on the calendar. Also, be sure to notify your clinical instructor of the next appointment, so that he/she can mark that date in their calendar as well.)

If a student attorney realizes that he or she will have to reschedule an appointment, they are responsible for contacting the client and correcting the schedule book. If the student attorney is unable to contact a client to reschedule an appointment, s/he must notify the appropriate clinical instructor immediately to ensure that the client will not be unduly inconvenienced.



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**POST - APPOINTMENT PROCEDURES**

**I. After the Initial Consultation**

After the consultation with the client, the law student attorney should escort the clients out of the clinic office and make sure that the clients know how to return to their car or other transportation. The student attorney should promptly write up a case note detailing what the client said, what options were discussed, and the student attorney's opinion of the availability of relief and appropriateness for clinic representation. The case note, information sheet, and any copies of documents or notes should be kept together and put in a green file folder, with the clients name on the tab, and then given to the clinical instructor or filed for further retrieval.

Keep in mind that the initial student attorney who interviews the client, may or may not be the student attorney who is ultimately assigned to represent the client.

The instructor will then review the case, at which time a decision to accept or refuse the case will be made. If the case is accepted, the instructor will assign the case to a student attorney who will be responsible for contacting the client to come in and sign a contract for services. If the case is refused, the instructor will write a letter to the client with a list of nonprofit and private referral sources.

**II. After a Follow-Up Appointment**

After the appointment, the law student attorney should escort the clients/witnesses out of the clinic office and ensure that they know how to return to their car or other transportation. The law student attorney should promptly write up a case note detailing what occurred during the meeting, especially what was discussed and what, if any, decisions were made. The case notes and any copies of documents or notes should be filed in a green file folder, with the client's name on the tab and given to the clinical instructor for review.

After their review, the clinical instructor will return the items to the student attorney for inclusion in the file along with any ideas or instructions for the student attorney.

**III. Client and Witness Meetings**

After the clinic has agreed to accept a case, the student attorney may have to meet with clients and witnesses more than once to obtain all of the relevant information, take affidavits, review testimony, and plot strategies. Clients should be encouraged to timely mail or drop off draft forms and/or all supporting documents without the need for a formal appointment with the student attorney.



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**AGENCY APPOINTMENT/  
COURT HEARING PROCEDURES**

**I. Before an Appointment or Hearing**

Clinical students are expected to be fully prepared for all scheduled appointments or hearings. Clinical students are also required to be accompanied by a clinical instructor on all appointments or hearings. Therefore, it is imperative that a student meet with the appropriate instructor at least two days prior to any scheduled event to coordinate meeting times, places, and activities.

Clinical students are also expected to fully prepare their clients and witnesses for agency appointments and hearings. It is strongly recommended that students meet with clients and witnesses to review documents and testimony at least once during the week prior to any appointment or hearing.

The day before any appointment or hearing, the student should pack the case file and any required outside sources (e.g., codes, statutes, manuals, etc.) together in an appropriate briefcase or bag. Students should also make sure that they have all necessary forms as well. If the appointment or hearing is early in the morning, students may take these items home with them the night before with the clinical instructor's permission.

**II. At Appointments and Hearings**

**TURN OFF YOUR CELL PHONE, PAGER, OR ANY OTHER ELECTRONIC DEVICES.**

Remove any potentially contraband items from your pockets and bags prior to entering the building (e.g., cigarette lighters, swiss army knives, mace, pepper spray, food, etc.) Certain agencies and courts may require you to leave purses and electronic equipment in the car. Make sure these items are locked in your trunk.

Students should take appropriate notes during the appointment or hearing. Do not allow opposing counsel or other parties to see your notes or case file UNLESS absolutely necessary. If given any documents or other items during an appointment or hearing, students should docket it appropriately in the case file and make notes about its submission or relevance to the case.

**II. After Appointments or Hearings**

After an appointment or hearing, students should carefully collect all of their possessions and immediately return to the clinical office. Students should write up a report of the appointment or hearing on the appropriate form and notify the Office Administrator of any upcoming deadlines or events. Students should also promptly write a letter to the client detailing the results of any appointment or hearing and offering advice or notification regarding future deadlines or events.



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## DOCUMENT AND DOCKET CONTROL

### I. Documents

If, after the clinic has agreed to represent someone, a client wants to drop off documents, they can either call to schedule a time to drop off documents personally with their student attorney or leave the documents at the front desk with the Office Administrator. We should encourage clients to put all documents in envelopes and leave them at the front desk to minimize scheduling difficulties. If a client needs to drop documents off after hours, they should call the Office Administrator at 713-313-7275 to make arrangements.

### II. Files

The clinical instructor will arrange for all new case files to be created. Each client's file will be housed in a green file folder. Either the clinical instructor or the Office Administrator can supply you with the file folder and file labels. The client's name should appear on the left-hand side on the file label. The last name must be in all CAPS. The first and middle name can be written in standard fashion. If the client has an "A number", it should be written below their name.

Inside the file, the LEFT SIDE should have in order from top to bottom the following:

- Information Sheet or Intake Form
- Applicant's Financial Statement
- Retainer Agreement
- Supporting documents

Every photo or picture needs to be stapled to the file folder.

Inside the file, the RIGHT SIDE should have in order from top to bottom the following:

- Client documents
- Drafts
- Notes in date order

The oldest item should be on the bottom, and the most recent documents on top. All documents should be kept and secured in the file. **DO NOT THROW AWAY ANY DRAFTS, NOTES, OR LETTERS FROM CLIENTS. KEEP EVERYTHING !!**

### III. Changes

When a client notifies us of changes, such as an address, or phone number, it is **CRITICAL** that the information is updated immediately in the client file, and in the time matters software. We should also remember to file any required address change forms with any governmental agency or court.

### IV. Calendars

All deadlines, appointments, court hearings, etc. are logged into an Outlook calendar that is maintained by the Office Administrator. All client appointments are logged into the appointment book kept by the Office Administrator. The Office Administrator also maintains the individual calendars of all attorneys of upcoming events and court dates. All deadlines, appointments, court hearings, etc. are also written on the responsible attorney's individual desk calendar.

If changes need to be made to the calendar, please notify the Office Administrator so that the appropriate changes can be made.



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any appointments, court dates, etc. so that they can be logged onto the Outlook calendar.

## **V. Taking Items Home**

All files must remain in the Clinical Legal Studies Program office at all times, unless needed for an offsite appointment or court hearing. Students should sign out files with the Office Administrator for these purposes, and return them to the office promptly after the appointment or hearing is completed.

## **Translations**

All documents written in a foreign language must be translated and certified by the translator who prepared the translation. If a document is particularly long, a summary translation of the pertinent information is acceptable for BCIS purposes. Otherwise, the translation must be full, complete, and accurate; detailing every signature, every seal, and every stamp on the document. In a complete translation, the English translation should exactly match the original document in terms of placement of words, symbols and number of pages. Thus, if the original document is two pages long, the translation should be two pages long as well. All translations must be accompanied by a signed, dated and notarized translator's certificate, either a certificate of summary translation OR a certificate of translation (if translation is full and complete). The translator is responsible for the accuracy of any translation. If a client gives you documents that have been translated but are not accompanied by a translator's certificate, please give the client a blank translator's certificate to take to the translator for signature and notarization. It is the client's RESPONSIBILITY to promptly obtain translations.

## **Writing and Stylistic Issues**

### **I. Cover Letters**

All cover letters to any governmental agency should reference the following information:

- Complete correct name and number of government form(s)
- Client's full name and A# or date of birth, if no A#
- All documents attached to the cover letter

### **II. Stylistic Issues**

All last names on forms and letters should be typed in ALL CAPS. First and middle names should be typed in the regular fashion.

A numbers should be nine digits beginning with zero (in rare c s, "1") and should be typed like so: 012 345 678. Do not put hyphens between the numbers.

Social Security numbers should also be nine digits and should be typed like so: 123-45-6789. Hyphens are used for SSNs.

1-94 numbers should be eleven digits total and typed like so: 123456789 03. There should always be a space separating the last two digits from the rest of the numbers. Do not put a hyphen or other mark to separate the groupings of numbers.



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All dates should be typed like so: 01/01/2002, do not leave out zeros or slash marks. When abbreviating state names, the two-letter postal abbreviation is preferred. Thus, do not use "Tex." Instead, use "TX" for "Texas."

## **Discipline Policy**

### **I. Purpose**

This policy is for guidance purposes only and is specifically not intended to create any property right, right to notice or opportunity for a hearing beyond that mandated by TSU policies and procedures or state and federal laws. Failure to follow procedures outlined in this policy will not create claims based on failure to meet standards of procedural due process beyond those mandated by TSU policies and procedures or state and federal laws. Failure by the Clinical Legal Studies Program to follow the procedural steps outlined in this policy will not form the basis of any student's approval of his or her discipline or dismissal from the program.

### **II. Dismissal**

Clinical students are subject to dismissal from a clinic and a "W" grade for the course for serious offenses. Clinical students may also risk their dismissal from TMSL for commission of serious offenses. Such offenses include, but are not limited to:

- Falsifying documents or information in a document
- Suborning perjury of a client or a witness
- Violating the attorney-client privilege or revealing confidential information to unauthorized individuals
- Bringing alcohol or controlled substances onto campus, using alcohol or controlled substances, having alcohol or controlled substances in one's possession, or being under the influences of alcohol or controlled substances on campus at any time.
- Abuse or waste of tools, equipment, fixtures, property, supplies, or goods that are the property of TSU, TMSL or the Clinical Program.
- Insubordination
- Disorderly conduct, harassment of clinical employees or clients, or use of abusive language on campus
- Excessive neglect of duties, loafing, or wasting work time
- Theft, dishonesty, or unauthorized use of TSU, TMSL, clinic, or instructor's property- including records and confidential information
- Repeated failure to perform unassigned tasks in a timely and satisfactory manner
- Behavior outside of the clinic that affects performance or jeopardizes clinical activities
- Possession of a weapon on campus
- Commission of any crime, misdemeanor or felony
- Revocation of student temporary bar card by the State of Texas

### **III. Progressive Discipline**

The Clinical Legal Studies Program expressly reserves the right to dismiss a student without pursuing progressive discipline when it is determined that the student's conduct or performance warrants



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immediate dismissal. In addition, not every progressive step must be taken in each case. A student's disciplinary record in the clinical program will be taken into account in the calculation of the student's clinical grade.

**A. Oral Reprimand**

This is the least severe disciplinary action. The clinical instructor will specifically point out the error or problem to the student and recommend concrete corrective action.

**B. Written Reprimand**

If a student has failed to respond to an oral reprimand or has committed an infraction of sufficient severity to warrant a more severe disciplinary action, a written reprimand will be prepared by the clinical instructor and reviewed by the Director of the Clinical Legal Studies Program. The student will meet with both the clinical instructor and Director to discuss the inappropriate conduct or unacceptable performance and to determine what corrective measures are expected. The student will be given an appropriate time frame to complete corrective measures. The student will also be given specific warnings regarding future disciplinary sanctions, if corrective action is not completed timely or is deficient in some way.

**C. Probation**

If a student has failed to respond to repeated oral and written reprimands or has committed an infraction of sufficient severity to warrant a more severe disciplinary action, the student will be placed on probation for the rest of the semester or until such time as the clinical instructor deems fit. The student will be required to meet with the relevant clinical instructor and the Director of the Clinical Legal Studies Program to discuss the inappropriate conduct or unacceptable performance and to determine what corrective measures are expected. The student will be given an appropriate time frame to complete corrective measures. When a student is on probation, he or she is not permitted to meet with clients or witnesses without the clinical instructor's actual presence and must report to the clinical instructor on a DAILY basis to discuss his or her progress in meeting the objectives of the clinical program.

**D. Dismissal**

As mentioned above, this is the severest of all sanctions. A decision to dismiss a student from the clinic will be made by the clinical instructor and the Director of the Clinical Legal Studies Program after consultation with the Dean of Student Affairs.

## **Sexual Harassment Policy**

**1. General**

It is the policy of TSU and TMSL that all students have the right to learn and work in an environment free of discrimination and sexual harassment. The Clinical Legal Studies Program has a no-tolerance policy on sexual harassment. Any clinical student who sexually harasses a fellow student, a clinic employee, clinic client, or a witness is subject to immediate termination of our agreement to represent him or her. Every student should strive to maintain professional relationships with others and to avoid offensive or inappropriate sexual and/or sexually harassing behavior in the course of their clinical experience. These guidelines apply during all clinical work whether on or off campus.



## II. Definitions

TSU has adopted and incorporated the regulations of the Equal Employment Opportunity Commission (EEOC) and case law that define sexual harassment and hostile work environment. As such, prohibited conduct and activities include:

- Unwelcome sexual advances
- Requests for sexual favors
- Any verbal or physical conduct of a sexual nature that threatens or implies, either explicitly or implicitly, that a person's submission to or rejection of sexual advances will influence the initiator's conduct
- Any verbal or physical conduct that interferes with an individual's ability to do his or her job
- Any verbal or physical conduct that creates an intimidating, hostile, or offensive work environment – this includes off-color language or jokes, innuendoes, sexually suggestive objects or behaviors, cartoons, pictures, etc.
- Retaliation – verbal or otherwise – against anyone who reports sexual harassment or assists TSU or TMSL administration in investigating a complaint of sexual harassment.

## III. Prohibited Relationships

Students must not fraternize or socialize with clinic clients or witnesses on or off campus UNLESS the relationship existed prior to the initiation of clinic services to the client or witness. All relationships between clinic clients/witnesses and students must be promptly disclosed to the clinical instructor so that a conflicts check can be assessed. If a student desires to develop a personal relationship with a clinic client or witness, he or she can only do so after his or her term of clinic service is complete. The client/witness must promptly notify the instructor of the existence of any personal relationships with former clinical students.

Students are also not permitted to enter into consensual interpersonal relationships with clinical staff or instructors during the student's term of service. Any student who violates or attempts to violate this rule is subject to discipline. Students must allow strive to avoid the appearance of impropriety or of a conflict of interest. As such, students should not enter into financial or other relationships with clients, witnesses, or clinic employees such that a student's impartiality or bias could be questioned.

## IV. Complaints

A student who has a complaint of sexual harassment by anyone involved with the clinical program – a client, witness, clinical student, clinical employee, clinical instructor, etc.- should report such conduct to the instructor, Director of the Clinical Legal Studies Program, or the Dean of Student Affairs, promptly. TMSL and/or the Clinical Legal Studies Program will initiate the appropriate investigation and attempt to implement appropriate corrective action as soon as practicable.



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If a client or witness complains about a student's conduct to the instructor or to the Director of the Clinical Legal Studies Program, TMSL and/or the Clinical Legal Studies Program will initiate an investigation. If the investigation confirms the allegations, appropriate corrective action and disciplinary sanctions will be imposed.

In the event that a student, client, witness, clinic employee, or clinical instructor makes a sexual harassment complaint in bad faith or has knowingly provided false or misleading information regarding a complaint, appropriate disciplinary action may be taken against such individual.

#### **V. Confidentiality**

The Clinical Legal Studies Program will make every attempt to keep the information provided in any complaint or investigatory process confidential to the fullest extent permitted by the law and circumstances. Nevertheless, confidentiality cannot be guaranteed.

### **ADA Policy**

TMSL and the Clinical Legal Studies Program strive to foster a more equitable workplace and learning environment for all faculty, staff and students. As such, pursuant to the Americans with Disabilities Act (ADA) of 1990, we are required to make reasonable accommodations and adjustments and offer all persons with disabilities the opportunity to participate fully in all institutional programs and activities. Such accommodations and adjustments may include, but are not limited to, adaptations in the way a clinic is conducted, use of auxiliary equipment (e.g., tape recorders), installing handicapped accessible ramps and doors, modified work schedules, and rearranging office furniture and equipment. All clinical students are responsible for their actions and should notify the Director of the Clinical Legal Studies Program or the clinical instructor immediately if an accommodation or adjustment is needed in any aspect of clinical operations.

### **Media Policy**

It is the policy of TMSL and the Clinical Legal Studies Program that all requests for information by media outlets be addressed to the Director of the Clinical Legal Studies Program. No clinical student is permitted to discuss confidential client information with any media representative without prior permission of the Director of the Clinical Legal Studies Program and the client. If a clinical student is presented with a request for information from a media outlet, the student should immediately refer all inquiries to the Director the Clinical Legal Studies Program. Failure to observe this policy will result in discipline.

**CLINICAL LEGAL STUDIES PROGRAM  
CONTACT INFORMATION**

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