LAW STUDENTS IN COURT

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<thead>
<tr>
<th>Faculty</th>
<th>Clark, Kellogg, Di Blasi &amp; Lewis-White</th>
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<tbody>
<tr>
<td>What do students do</td>
<td>Students represent clients in the D.C. Superior Court Civil Division, primarily in the Landlord and Tenant and Small Claims Branches.</td>
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<tr>
<td>Semester or year-long</td>
<td>One semester, Fall or Spring (with possibility of full year)</td>
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<tr>
<td>Open to</td>
<td>All 2Ls and 3Ls (at least 31 credits). Students are required to meet with a supervising attorney at our offices at 4340 Connecticut Avenue, NW, Suite 100 Washington DC 20008 or to come meet with us at Landlord and Tenant Court. This is an opportunity to see if this clinic and you are a “fit” and to ask questions about clinic participation.</td>
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<tr>
<td>Prerequisite(s)</td>
<td>All first year courses; strong preference for Evidence (as a pre- or co-requisite)</td>
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<tr>
<td>Credits</td>
<td>7</td>
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<tr>
<td>Meets WR requirement</td>
<td>No</td>
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<tr>
<td>Requires Student Bar Certification</td>
<td>Yes</td>
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<tr>
<td>How many students</td>
<td>15/semester from GULC (other students from area law schools also participate)</td>
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<tr>
<td>Conflicts</td>
<td>Students employed by law firms that regularly represent residential landlords are ineligible for this clinic. Please contact the clinic directly for additional information.</td>
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<tr>
<td>Average time commitment</td>
<td>25 hours/week, on average. Work on cases will continue during all breaks.</td>
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<tr>
<td>Seminar hours</td>
<td>Mondays, 6 pm to 8 pm</td>
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<tr>
<td>Orientation</td>
<td>August 17-21, 2015 (Fall) &amp; Dates TBD (Spring)</td>
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<tr>
<td>Information session(s)</td>
<td>April 1, 3:30pm-5:00pm, McDonough 344</td>
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Please note that Law Students in Court is a consortium program open to students at several D.C.-area law school. The LSIC office is not located at Georgetown, but instead is in the Van Ness neighborhood of Washington DC.

LAW STUDENTS IN COURT
A Civil Litigation Clinic

Each year Law Students in Court (LSIC) students and staff make hundreds of appearances in court. Students represent their clients in the D.C. Superior Court Civil Division, primarily in the Landlord and Tenant and Small Claims Branches. Some cases each year are in the Court’s regular Civil Division and some that start out in Landlord and Tenant or Small Claims courts require an administrative hearing, usually before the D.C. Housing Authority or the D.C. Office of Administrative Hearings.

LSIC works to fight the consequences of poverty, to prevent homelessness and to alleviate inequalities in the justice system. In a city where safe and sanitary housing for low and moderate income people is scarce, clinic students and staff provide a voice for the disadvantaged for both program clients and the many other people helped less formally each year. LSIC students’ presence at Landlord and Tenant court
serves as a vital check in a court where pro se tenants are often taken advantage of by landlords and their experienced attorneys.

As part of the clinic experience, students spend one day each week interviewing, counseling and assisting potential clients in the D.C. Landlord and Tenant Court. If appropriate for representation, a case is continued for responsive pleadings. The student then schedules a longer, more extensive interview with the potential client, does necessary fact investigation, and submits a case acceptance memo to the supervisor team so a decision can be made whether the person will become a retained client. Once a person is accepted as a client, the student is responsible for all aspects of the case: initial pleadings, discovery, motions preparation and argument, and either negotiating a settlement or preparing the case for a bench or jury trial. Case work is guided and supervised by clinic supervising attorneys at each step in the process.

The program offers a learning environment that focuses on case planning and preparation, courtroom experience and one-on-one working relationships with experienced instructors. Supervision and instruction emphasize litigation strategy and the skills necessary for effective lawyering. Class work and supervision promote reflection on what a lawyer’s role should and can be.

The D.C. Law Students in Court Program (LSIC) is one of the oldest and most highly regarded clinical programs in the city. It began as an effort by five District law schools in conjunction with the Bench and the Bar to address the disparity in legal representation and assistance in two of the city’s highest volume courts. Students selected for the program will work alongside students selected from American, Catholic, George Washington and Howard law schools to represent indigent clients in the District of Columbia.

**TIME COMMITMENT**

LSIC is a one-semester program that can also be adapted to a full-year program. The fall term begins with a mandatory, five day orientation before law school classes begin. The orientation will take place before regular classes begin in the fall Monday, August 17 – Friday, August 21 from 9:00 a.m. to 5:00 p.m. each day. (This date is subject to change, please contact Dan Clark if you have questions.) If this orientation schedule overlaps with Early Interview Week, students will be allowed to attend scheduled interviews during orientation as needed. Classes during orientation initially focus on developing skills needed when a student makes his or her first court appearance and begins to take on clients.

Our students spend one day each week in court. The student chooses the day, and it is the same day every week. Most hearings and court appearances will be scheduled for the chosen day of the week. Students must have one day available free of daytime class and other work obligations in order to participate. The choice of day is up to the student, but we ask that you not choose Monday as your court day.

As with most clinics, it is impossible to control fully the amount of work each student has in each week. In most weeks, students are able to meet their responsibilities for their clients and for the clinic in about 25 hours. Some weeks, however, will require additional time to prepare motions, investigate cases, meet with witnesses, prepare for trial, and make court appearances. Students are expected to devote sufficient time to the clinic to advocate zealously on behalf of their clients. We estimate that over the course of the semester, excluding orientation, time required for clinic will average out to 25 hours per week.

Students remain primarily responsible for their cases during exam periods and breaks; however, supervisors are available to cover emergency court proceedings that cannot be continued. Students will
be expected to cover their cases at the end of the academic year until they have completed a close-out meeting with a supervising attorney and the staff is satisfied that the student’s files are prepared to be passed on to another student.

Many students work while attending law school and also participate in clinics successfully; however, students should have somewhat flexible work schedules because mandatory court appearances may require adjusting work hours.

INVESTIGATION

Investigation is a requirement of the program. In order to develop any case, an attorney must learn as much as possible about the facts that brought the case to court or are important to a defense of the case. In LSIC cases, that will usually mean visiting clients’ homes. Because the clinic operates in an urban environment, investigating carries with it a certain amount of risk. LSIC students and staff have safely done investigations over the forty years of LSIC’s history, but no one can make guarantees. Part of orientation includes a discussion of the do’s and don’ts when doing on-site investigations. Students are encouraged to investigate in pairs (for safety reasons, so that the other student can testify as a witness at hearings, and to be another set of eyes and ears to pick up information).

CLINIC BENEFITS

_The clinic will give you more court time than most associates will see for years. Extensive interaction with clients and attorneys and hands on approach to learning litigation. A must for anyone who is interested in litigation and wants lots of experience._

-Ryan Wright, LSIC 07-08

**Professional Development:** You don’t have to intend to be a trial lawyer to benefit from a clinical program. Once you have handled a case in court or prepared for a trial, your new insight will make you a better lawyer, whether or not there is a courtroom in your future legal career. Remember, for all but a few trial specialists (a smaller number than you would think), a lawyer’s job is to keep clients out of court.

Accepting the responsibility of representing a client is the best way to understand and synthesize all that you have learned in law school. In representing real clients with actual court cases you will learn how to develop a lawyer-client relationship, negotiate with opposing counsel, write pleadings and apply legal principles to difficult facts in ways that will be invaluable to you in your future, however far from landlord-tenant law it may be.

**Civil Practice:** Most cases LSIC students handle are landlord and tenant/housing cases. This area of the law is surprisingly complex and interesting. Issues involve primarily property and contracts law, but can and do intersect with federal and local administrative law, affordable housing, disability law, receivership law, torts, guardianship and probate, civil rights, family, criminal and bankruptcy law (thankfully, not all in one case). And, of course, in a courtroom setting, you will be applying rules of civil procedure and evidence in every hearing or trial.

Representation in Small Claims Court often involves consumer issues. D.C.’s consumer-friendly consumer protection statutes are underutilized and offer a different venue for students. In Small Claims Court, students represent plaintiffs as often as they represent defendants. Students also represent clients,
plaintiffs and defendants, in a limited number of regular Civil Division cases. Cases in the Civil Division have involved damages for wrongful eviction, malicious prosecution, injunctive relief to force a landlord to restore possession or utilities, and disputes regarding tenants’ rights to purchase a building.

**D.C. “Rocket Dockets”:** Landlord and tenant and small claims cases are on a litigation fast track compared with regular civil cases. Students can often begin a case and finish it within two semesters, even when the case is set for a jury trial. As the student attorney, you will have responsibility for the entire case from initial pleadings, investigation, discovery, motions practice and pretrial preparation, negotiation to either settlement or trial. Opportunities also exist for appellate work.

**OTHER INFORMATION**

**Court days:** On court days, students interview potential clients, generally tenants facing eviction. Students negotiate with opposing parties, most of whom are represented by attorneys. Students often appear in a temporary capacity before the judge to ask for relief: a continuance to obtain counsel, to stay an eviction, to quash defective service of process or to dismiss a defective complaint. Because the vast majority of tenants do not have representation, LSIC students are a critical access point for legal information and assistance for tenants in Landlord and Tenant Court. By spending even a brief time in either Landlord and Tenant or Small Claims Court, you will see the enormous difference an attorney’s presence makes in our judicial system.

**Office intake:** Approximately two to three times each semester, students are in the office instead of court on their court days. At the office they will interview potential clients who walk in or call in, many of whom we accept for full representation.

**Spanish or other languages:** Students who speak languages other than English may have opportunities to use these valuable talents, given the large immigrant population in the city. There is a huge need for Spanish speakers in this community.

**CASES HANDLED BY THE GULC LSIC STUDENTS**

**Ms. D shared her apartment with her 22 year-old son.** After he was arrested for possession of marijuana, the landlord sued to evict them. Ms. D never received the complaint. Her son did, and went to court, made an agreement to move, and moved. The landlord then attempted to evict Ms. D herself, knowing she had not known about the agreement. When a GULC student stepped in to represent Ms. D at her hearing, the landlord’s efforts were frustrated. The landlord then went outside the law and changed Ms. D’s locks. Her student attorney successfully restored her to her home in a series of hearings, and defeated the landlord’s efforts to evict her.

**Ms. H is a young working single mother of two, living in a subsidized townhouse.** After her child’s father became violent and tried to force his way into the house, the landlord attempted to evict Ms. H because of the damage to the doors. Despite the fact that Ms. H obtained money from the crime victim’s fund to repair the door, the landlord sued to evict Ms. H. Using city and federal laws which protect victims of domestic violence, Ms. H’s student attorney prepared her case for trial and succeeded in defeating the eviction so that Ms. H could remain in her home.
Ms. H., a young woman, battling cancer, with two young children, was sued for eviction. Shortly after she moved into her apartment, the bathroom ceiling collapsed and the oven stopped working. While undergoing treatment for cancer, she and her children had limited use of the apartment’s only bathroom and were not able to cook anything in the stove. After months of asking her landlord to repair these and other problems, she began withholding rent.

A GULC student began representing her at the beginning of this year as the case was a few months from a jury trial. Before this student began representing Ms. H., all attempts to settle the case had resulted in an even more contentious relationship between Ms. H. and her landlord. The student attorney was able to negotiate a settlement very favorable to Ms. H. and spare Ms. H. the stress of a trial.

FOR MORE INFORMATION

Please stop by to talk with current students and current supervising attorneys regarding any questions about our program. The office is located 4340 Connecticut Avenue, NW, Suite 100 Washington DC 20008. If you have questions, please contact Dan Clark, dclark@dclawstudents.org (cc: lcasas@dclawstudents.org)

We require that you meet with one of our clinic staff, either at Landlord and Tenant Court or at our offices in Van Ness. You can arrange a time to do this with any of the supervising attorneys. This meeting will give you an opportunity to see where you will be working and what you will be doing if you join LSIC. Because we are off-campus and operate somewhat differently than many of the other Georgetown clinics, we think it is helpful for students to see us in action. Please email lcasas@dclawstudents.org to arrange for a meeting time at the office. Bring a resume with you.