

**A MANUAL**  
**On**  
**FAMILY LAW CLINIC**

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## **1. Introduction**

Since 1990s various legal revolutions have been conducted in Ethiopia with the intention of uprooting the existing problems faced by women and children and promotion of human rights through social, economic and political empowerment. This, however, requires legal professionals to be armed with theoretical and conceptual knowledge plus actual skills and ethical behaviors. Hence, training and practical exercise to acquire basic skills and applications must be begun in law schools as part of curriculum.

Dear students, you are welcome to the Family Clinic. In order to well acquaint with this clinical programme, you are required to be guided with the manual at hand which sets forth basic information about the general and specific objectives and its over all operations as well as important skills need to be involved in the process. Wishing the discussion to be fruitful, students are required to have a prior reading before they come to class.

## **2. Clinical Programme Identification**

**2.1. Title of the Programme:** Clinical Manual on Family Law

**2.2. Programme Code:** Laws- 6131

**2.3. Credit Hours :** 3

**2.4. Pre-requisite Courses:** Constitutional Law I and II, Law of Family, Law of Persons, Law of Succession, and Human Rights Law

## **3. Programme Description of the Family Clinic**

Without doubt family is the basic component of any society and a foundation for a bigger community of a country. In Ethiopia, in a greater or lesser degree family protection has counted a long history- that the Fethha Nagast has some provisions devoted to regulate family relations and provide some rules aiming to protect the family; the cardinal canons of the great religions prevailing in Ethiopia have laid

down basic rules governing family; customary norms developed in various communities also mainly concerned about family ties and relations.

However, family protections provided in those traditional principles were not adequate, comprehensive and not backed with modern legal education. The situation has relatively been improved in the advent of modern education began with the introduction of legal revolution and codification in Ethiopia occurring in the 1960s and with the opening of the Law Faculty at what then called the University College of Addis Ababa in 1963. The AAU Law Faculty remained the only centre of legal education in the country until the establishment of the Faculty of Law at the Ethiopian Civil Service College and the coming of private law schools in the 1990s. From 2000 onwards various universities have been founded in regional states and now almost in each university Law Faculties have been established to serve as centers of legal education.

The 1960 Civil Code and other related laws have been used as important instrument to promote legal education in general and family protection in particular. Yet, there were some problems emanating from the Code in regulating the marriage, management of common property of the spouses, dissolution of marriage and partitioning of property. More importantly some of its provisions were discriminatory that led women to be subjugated to men. Thus, the 1995 FDRE Constitution has repealed all such discriminatory provisions. Currently, both the Constitution and the Revised Family Codes have provide better protection to family, guaranteed equality of women and men, grant special protection to children and women.

The third aspect that enhanced the development of legal education is the involvement of civic associations. Though not in a well organized form, there are some civic organizations that have provided legal training and educations.

Despite the fact that there has been conducive legal environment, the proliferation of both public and private law schools at federal and regional levels, and the relatively better involvement of government and non government organizations in the promotion of legal education, there are still serious problems in the process and delivery of legal education, particularly in the universities. Those problems should be

identified and be given immediate solutions. The existences of such acute and deep-rooted problems the law faculties face today have necessitated reform in the legal education.

One of the problems that call for the legal reform is that the curriculum currently we have does not adequately respond to the multifarious needs of various stakeholders, such as the government, students, the community, civic organizations and the business communities. Moreover, lack of responsiveness manifested through several aspects of the law curricula, lack of adequate budget, skill and knowledge to enhance legal education and legal clinical programme, and the absence of genuine organization in law faculties to lead legal clinics are problems that need to be fought.

More specifically, the actual family relations have faced many practical challenges. Still there are various and systematic forms of discrimination committed against women; in equality of women with men is reflected on or during marriage as well as in the dissolution of marriage. Women still do face problems in managing, administering and owning their own personal and common property. Children have not been in their best interest during marriage and dissolution. Specially, their well being will be at stake during and after dissolution of their parents' s marriage.

Of course the protection of family has been partly achieved through the teaching of family law and constitutional law courses which have direct importance to the matter. But this is not enough to fight such deep-rooted problems. Those complicated problems call for students and future lawyers equipped with special family skills, knowledge and legal expertise. Thus, it is found absolutely imperative to introduce and incorporate family clinical programme in law curricula to give sustainable solutions for family problems.

The newly introduced law curricula have come up with family clinical programme which basically intends to involve different stakeholders in the fight for family problems; acquaint students with skills, techniques, approaches and methods that help them how to work with various stakeholders and clients themselves. With the aim of winning this goal the family clinic will be given as a separate course that has its own credit. This will definitely enhance the process of rendering legal services to those

need people facing problems in family relations. It will enable people to aware their legal rights and obligations that arise from the family law and the Constitution.

The fact that the course is modeled as a clinical programme is also to get ride of another problem of the old curricula by incorporating a skill-oriented course in the new legal curriculum. As clearly mentioned in the legal reform document, one of the major drawbacks of the old curricula was lack of sufficient number of skill- oriented courses and the denial of respective credit for such courses if they do exist.

The scope of the family clinic will include regular classroom instruction in which students will be able to be familiar with basic theories, concepts and legal norms emanated from the constitutional law, human rights instruments and family law In addition, in class, students will explore many important layering issues through the provisions of cases and precedents having legal issues related with family matters. The intended goal will, however, best achieved when such classroom instructions and interaction have to be combined with practical aspects of teaching. Thus, specially tailored exercises and simulations are designed to instill the basics of legal practice.

In the practical aspect of the course, the Family Clinic offers students skill and legal knowledge that enable them to train people on family matters, to render legal advocacy, to represent victims in civil, criminal, and constitutional litigations arising from family relations. At the same time in the process of representing clients, students will develop knowledge and skill relating to substantive and procedural laws of the country. Further, such process inspires them to conduct problem solving researches and investigations.

In addition to client representation, research and writing, the Clinic fosters the development of other fundamental lawyering skills such as interviewing and counseling clients, fact investigation and development, legal drafting and oral advocacy. Students will also be given opportunity to work with various stakeholders on family problems, to involve in project works related with family issues and be familiar with judicial process, prosecution and investigation.

## **4. Clinical Programme Objectives**

### **4.1 General Objectives**

In line with the spirit and essence of the legal reform document, the general objectives of the Clinic are to:

1. Provide high quality legal representation to the Clinic's clients;
2. Enrich the students with clinical legal skills;
3. Help students to plan, execute and reflect on lawyering skills such as interviewing, counseling and drafting;
4. Enable students to assume responsibility;
5. Create a sense of voluntarism, willingness ;
6. Give students the opportunity to work collaboratively on legal problems;
7. Make conditions suit to serve the community;
8. Enable students to develop self- confidence and professional work practice that in turn are needed to practice effectively in a competitive, fast-paced field;
9. Help students see the ways and options in which they can use their legal skills to promote justice and further the public interest;
10. Provide opportunities to think about and practice legal problems solving; formulating goals, expanding options, planning strategy and making decisions
11. Provide students with the opportunity to acquire legal ethics;
12. Prepare students to assist the needy.

### **4.2. Specific Objectives**

During and after the completion of the programme, the students will be able to:

1. Identify the legal regimes relevant to Family matters;
2. Explain how the law functions in practice;
3. Explain the role of the law, particularly the Constitution and the family law in protecting family relations;

4. Identify methods of continuous evaluation and as a result able to modify the process and programme of the Clinic;
5. Identify the essential principles and values of family matters
6. Learn how to approach the victim, and other stakeholders;
7. Develop skills and techniques and apply the same in the process;
8. Draft documents in precise, economical and comprehensive manners to clients;
9. Develop the ability and culture to be critique on ones own work, learn from experience, positively accept feedbacks, and understand how personal feelings, background, personal values affect ones performance in a professional role;
10. Improve time management skills to gain control over the work and to enhance ability to work under time pressure;
11. Develop options how to help victims and rehabilitate them;
12. Stimulate awareness about the common agenda among various stakeholders.

## **5. Methodology**

In the process of Family Clinical Programme, among other things, students, instructors, as a supervisor will involve. Their responsibilities, functions and role, however, differ. Here it is imperative to establish various methods employed in the clinical activities and processes. It is also useful to identify the responsibilities of students and supervisors.

As a general rule, Socratic Method shall be employed. Hence, students are no more recipients; rather they play a proactive role.

### **5.1. Student Responsibility**

Students will be responsible for performing the interviewing, counseling, drafting and other necessary tasks necessary to assist their clients and will in general make all of the lawyers's decisions on their cases. They will also be responsible for scheduling their work so as to meet any client deadlines and to complete their matters no latter

than the end of the academic year. Unless the supervisor is involved in screening a client to see if clinic representation is appropriate, the supervisor will most likely not meet their clients unless they introduce them to him/her. The supervisor will help students prepare for and analyze their work, but the primary responsibility for the cases will be for the students. Students' responsibility includes, among other things:

1. Approach the victim, the offender and other community members affected by the act.
2. Identify the family problem involved in the case and give proper guidance to the victim how to solve the problem
3. Arranging discussion for the victim and other pertinent bodies to solve the problem amicably.
4. Prepare analyze and report their work.
5. Prepare a general and specific plan to undertake the programme.
6. Assess and evaluate the ongoing programme and make adjustment for the future.

## **5.2. The Role of the Supervisor**

The role of the supervisor is a balancing act. His duty is to supervisor, control, examine the work of the students and provide them with constructive feedbacks. On the one hand, it is believed that the students will learn more effectively if they function as a lawyer for their clients rather than serving as 'associate' with the supervisor as senior partner. On the other hand, the supervisor is ultimately responsible for making sure that the clients are well-served. In order for this model to work, the work of the students needs to be transparent. This means, for example, that when students prepare a plan a client meeting, especially early in the year, they need to write the plan in a way that lets the supervisor see what they intend to do, even if their preferred style would be more of a shorthand.

## **5.3. Specific Rules of Methodology**

### **5.3.1. Class Lecture**

At the beginning of each class of the clinical programme, supervisor is expected to give some introductory remarks. First, he has to refresh the memories of the students on the relevant courses they have previously taken in relation to the Family Clinic. Second, the supervisor is also expected to give preliminary introduction on certain theoretical, conceptual, legal and practical aspects of the Clinic. Unlike the traditional spoon feeding lecture method, classes must be provocative, argumentative, and highly participatory. The whole aim of class lecture is to lay down some basic conceptual frame work about the clinical programme at hand.

### **5.3.2. Responsibility for your Own Learning**

Although the supervisor will take responsibility for most of the pedagogical programme (seminars, exercises, readings, etc...), Students will need to develop their own learning goals and to decide how to pursue them.

### **5.3.3 Slow Motion Practice of law**

Students will have a very small caseload and will spend much more time on each matter than would a practice lawyer. They will have the time and support to examine carefully each decision that arises. Fore example, with respect to a phone call to a potential client to arrange a meeting, students are encouraged to plan the conversation in detail, anticipating possible twists and turns and analyzing the likely consequences of their own words. Then after the call has been made, students might analyze it with equal care, looking at all the factors which affected the result. If both students were on the same line, who did most of the talking? How was the call affected by your student status? What did you do if the client wanted to discuss issues you weren't ready to discuss? And so on. This process will help you to see and evaluate the range of options that exists with respect to lawyering decisions large and small.

A small caseload also means that, despite your relative inexperience, you can offer first-rate representation and can use your cases as learning experiences without scarifying your client's interest.

#### **5.3.4. Simulations and Role Playing Models**

In order to help students think about the lawyering skills that you will need to represent their clients, the supervisor will present models for performing those skills. The models are not intended to be the only correct way to perform the skills. One of the jobs of the students will be to understand the goals of the models and to use them in developing a comfortable and effective personal style. Then, both in class and outside of class, they will be asked to simulate the performance of those skills. The simulations are designed to let them practice skills in a controlled environment before using those skills in representing actual skills. Although most of the simulations will require students to take the role of the lawyer, they may sometimes be asked to take the role of a client so that they can see how various ways of performing lawyering tasks affect them and imagine how they might affect an actual client.

#### **5.3.5. Critical Reflection**

This can be termed as learning from ones own experience. Since students will not always have supervisors to help them improve, it is important to train themselves to evaluate and learn from their own experience. To help them do this, the Clinic Administrators will be videotaping both simulations and (with the client's permission) actual client meetings so that students can go back over their work and learn from it. Through out the clinic experience, students must try to take responsibility for analyzing how they might more effectively deal with the issues that arise, whether they involve relationships (e.g. with their partner, clients, supervisor, government officials or clinic staff), skills, ethical issues or some other aspects of their clinic work.

Several times during the year the supervisor will ask students to write a journal of few pages reflecting on some aspects of their clinical experience. For those of students who keep personal journals, this will come naturally. For others it may be more

difficult, but the supervisor is convinced that the act of writing stimulates a level of observation and reflection that may otherwise be hard to achieve.

### **5.3.6. Collaborative Work**

Students in the Clinic generally work in pairs. The pairs will be arranged early in the semester in which the clinical programme will be offered.

Providing appropriate feedbacks on time

Basically, Family Clinic includes activities such as drafting documents, a different sort of writing than required by seminar papers, law firm memos or advocacy briefs. Experience dictates that, good drafters are made, not born. Students can therefore expect extensive and immediate feedbacks on their written work, and they will find themselves. The supervisor must forward positive, constructive and instructive comments and feedbacks and should follow their improvements. That is not simply a one time task.

At the same time students must open their mind to receive comments and feedbacks and put into practice accordingly, rather than being discouraged. One reason for multiple revisions is that the better a draft gets the more possibilities for improvement students are likely to see. Thus, students do not assume that their job is just to respond to specific suggestions. They must keep looking for ways to make the document clearer, more consistent, more consistent, and more user-friendly.

### **5.3.7. Observation**

Students of the Family Clinical Programme are required spending several weeks observing court proceedings, prosecution processes, and the operation of other governmental and non-governmental organizations that work with Family protection. Various moot courts will be organized on different family cases in which students will be involved. Thus, students will gradually transform themselves from being mere observer to active participant.

### **5.3.8. Seminars and Workshops**

Students should organize seminars, panel discussions and workshops. Though they may invite guests, it is advisable to make presentations on topical issues relevant to family clinic.

## **6. Components of Family Law Clinical Programme**

Family Clinical Programme will have three basic components, namely, class work, team meeting and casework

### **6.1 Class Work**

Class will be held on \_\_\_\_\_ and \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ and class work will heavily be conducted at the beginning of the programme in order to prepare students to see clients and represent them effectively as early in the semester as possible. Subsequently, when the client work is heavier, students will have fewer classes and class preparation. In anyways the sum of rations of class weight and client work will give us the total conducting the clinical programme.

The class work aims at refreshing the memories of the students on the relevant courses they have previously taken in relation to the Family Clinical Programme. It also aims at giving preliminary introduction on certain practical aspects of the programme and revising the theoretical and legal issues applicable to family protection.

### **6.1.1. Contents**

The following are the pertinent contents that need to be discussed:

#### **Chapter One: Introduction**

##### **1. Some General Remarks**

- A. Definition and Concept of Clinical Education
- B. Historical Development of Clinical Legal Education
- C. Basic Features and Components of Legal Education
- D. The Significance of Legal Education

##### **2. The Role of Ethics on Family Clinic**

- A. The Essence and Significance of Code of Conduct
- B. Building Blocks of Code of Conduct
- C. Professional Ethics and Professional Responsibility
- D. Ethical Standards and Behaviours Students follow while in Clinical Practice

#### **Chapter Two: Techniques and Application of Clinical Legal Education**

- 2.1. Identifying Problems and Understanding their Context, Nature, and Background
- 2.2. Participatory and Client-Centered Lawyering/Counseling
- 2.3 Reflective Learning
- 2.4 Non-Directive Teaching
- 2.5. Observation as a Teaching Method
  - a) Court Observation
  - b) Observing Public Prosecutors and Advocate
  - c) Observing the Process of Counselling, Investigation and Client-Lawyers Interaction
- 2.6 Other basic Skills
- 2.7 Innovating Solutions and Enhancing Future Development of Legal Educations

## **Chapter Three: Legal Frameworks for Family Relations and Protection**

### 3.1 An Overview to Family Relations and Protections in Ethiopia

3.1.1 Before 1960s

3.1.2 Between 1960s and Early 1990s

3.1.3 Since 1995

### 3.2 Constitutional Basis for Family Protection

3.2.1 Equality and Non-Discrimination

3.2.2 Tentative Positive Actions

3.2.3 Other Special Rights accorded to Women and Children

### 3.3 Basic Components of the Revised Family Law and its Significance to Family Protection

## **Chapter Four: Other Domestic Laws for Family Protection**

### 4.1 The FDRE Criminal Law and its Role for Family Protection

### 4.2 Attributing Legal Personality and Basic Rights to Family and Family Members through Law of persons

### 4.3 Economic Rights of Family Members as enshrined in Law of Succession, Maintenance law, Tort Law, and employment law

## **Chapter Five: Major International Human Rights Instruments accorded to Family and its members**

### 5.1 The Universal Declaration of Human Rights

### 5.2 ICCPR and ICESCR

### 5.3 The Child Convention

### 5.4 SEDAW

### 5.5 Other Legal Instruments, Resolutions and Guidelines

### 5.6 The Application of such Instruments in Ethiopian Legal System

## **Chapter Six: Institutional Role for Family Protection**

### 6.1 The role of Federal and Regional Governments

#### 6.1.1 The Legislatures

#### 6.1.2 Executive governments

#### 6.1.3 Courts

#### 6.1.4 Ombudsman, Human Rights Commission and related organs

### 6.2 The role of Civic Organizations

## **Chapter Seven: Family Clinical Programme and Legal Education**

### 7.1 Justifications for Introducing Family Clinic

### 7.2 Clinical Aspects of the Programme

### 7.3 Elements and Features of Family Clinic

### 7.4 Basic Problems of Family Protection

#### 7.4.1 De Facto Discrimination(Economic, Social, Political and others)

#### 7.4.2 Multifaceted Violence

#### 7.4.3 Trafficking and Labour Exploitation

#### 7.4.4 Harmful Traditional Practices

#### 7.4.5 Problems related to marriage

#### 7.4.6 Other Problems

### **6.1.2. Reference Materials**

So as to facilitate the revision and discussion of the programme effectively and efficiently, students must consult the following reading materials.

#### **1. Books**

- W.T. Melson, Treatise on the Law of Annulment of Marriage, Guant. Inc., Vol.1, 2000.
- David Westfall, Family Law, West Publishing Co.
- Family Law in a Nutshell, West Publishing Co. , 1995.
- The International Survey of Family Law, 2004.

- A. Phillips et.al, Marriage Laws in Africa
- Kate Standley, Family Law, Palgrave Macmillan, 4<sup>th</sup>ed, 2000.
- Keith Morgan, Essential Family Law, 1995.
- Alfredsson, et al, A Thematic Guide to Documents on the Human Rights of Women, the Raoul Wallenberg Human Rights Guides Vol.1, 1995.
- Adams, et al, Gender, Equality and the Judiciary: Using International Human Rights Standards to promote the Human Rights of Women and the girl child at the national level,1999.
- Benedek, et al, Human Rights of Women: International Instruments and African Experiences, 2000.
- Daniel Haile, Law and the Status of Women in Ethiopia, Economic Commission for Africa, 1980.
- R.J.Gells and M.S. Strauss, Determinants of Violence in the Family: Toward a Theoretical Integration in Contemporary Theories about Family, Vol.1, New York Free Press, 1995.

## **2. Laws**

- The Constitution of the Federal Democratic Republic of Ethiopia, 1995, No.1.
- The Revised Family Law of Federal Democratic Republic of Ethiopia, 2001.
- The Family Code of Ethiopia, 1960.
- The Amhara National Regional State Family Code, 2003, No.79/2003

## **3. Journals**

- New Trends in Discrimination law- international perspectives, Vol.3, No.1, 1999.
- Rebecca J.Cook, State Accountability under the Women's Convention, 1994.
- BERCHI: The Annual Journal of Ethiopian Women Lawyers Association, NO.5, 2004.
- Mizan Law Review, St. Mary's University College, Faculty of Law, Vol.2, No.1, 2008.
- M.P. Johnson, Patriarchal Terrorism and Common Couple Violence, Journal of Family Law and Violence.

#### **4. Cases**

- Ansha Seid V. Thehay Abebe( Addis Ababa High Court, Civil Case No.37/82).
- Diribe Ana V. Yeshe Zewge ( Addis Ababa High Court, Civil Case No.402/85.
- Thehay Assefa V. Sunka Biyan ( Region 14 Regional Court, 1987, Case No.404/85).
- Region 14 Zonal Court, Civil Appeal No.25/88.

#### **5. Human Rights Instruments and Resolutions with Specific Provisions**

- Universal Declaration of Human Rights (UDHR)
- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- Convention on the Rights of the Child
- Convention on the Elimination of All Forms of Discrimination against Women

#### **6.2. Team Meetings**

We are convinced that working in team is one of the best means to achieve both the general and specific objectives of the Family Clinic. A team will be formed, comprises the student and his/her partners and the supervisor. The team will formulate its action plan including the meeting time table. The main functions and purposes of the team are the following:

- The team will meet each week to plan and review client work and to address other issues of concern to students;
- The team meeting will enable students to move out of traditional way of student-teacher relationship and take the initiative by themselves;
- It is also an opportunity to practice running a meeting, an important lawyering skill requiring planning, discipline and assertiveness;
- Team meeting will serve as an important forum for students to interact ideas, communicate and learn each other, receive useful comments and feedbacks;
- It will serve us to evaluate the performance of students.

### **6.3.Casework**

Practicing court cases is a vital component of the Clinical Programme. Students are expected, either in group or individually, to evaluate actual and hypothetical family cases. In addition, students will have two or more matters such as representing a client, drafting a pleading or defence, prepare memorandum of arbitration or proposing other types of documents.

The supervisor is entrusted to select the relevant cases, clients and other components of caseworks. Although students may know the identity of one or more clients early at the beginning of the semester, they probably will not meet with a client for several weeks- this will give them time both to master the substantive law and to work on their interviewing and counselling skills.

## **7. Mode of Assessment**

Continuous and progressive evaluation and assessment will be the backbone of the programme. Each and every aspect of the Family Clinical Programme will be graded on a continuous basis. The supervisor and, if possible, the stakeholders (such as clients and the relevant governmental and non-governmental organizations) should assess the students based on their performance in both class lectures and practical components of the programme. The performance of the students shall be assessed not only on individual basis but also when they work in group. The assessment process should also involve giving immediate feedbacks on the performance of students. The total of the performances will amount to the grades of the students. One important thing to be emphasized here is that there must be objective criteria. The following criteria have been set forth for the Clinical Programme:

### **7.1.Professional Responsibility**

**7.1.1. Professional Ethics:** This will try to answer the questions such as has the student performed her/his duties in an impartial manner basing only on the facts of the

case at hand and on the needs and wishes of the parties? Has the student respected the rights and dignity of the parties?

**7.1.2. Effort:** Effort relates to the issue whether the student has made utmost effort to achieve the goals of the Clinic. Has the student accomplished his duties properly, genuinely, and effectively?

**7.1.3. Reliability:** Has the student punctual with regard to appointments and assignments? Did the student leave enough time to prepare adequately for each stage of each matter? Were files of action properly organized and maintained? Were deadlines met?

**7.1.4. Professional Behaviour/ Interpersonal relations:** Were appropriate and effective relationships maintained with clients, government officials, office staff, the supervisor and the clinic partner? Were interpersonal tensions acknowledged and dealt with as learning opportunities?

## **7.2. Educational Responsibility**

### **7.2.1. Team Meeting**

Has the student prepared adequately for the team meeting (clinical partner and the instructor)? Has the student contributed significantly to making the classes and simulations successful learning experience, such as by raising issues, arguments and criticism?

### **7.2.2. Class Participation/simulations**

This refers to issues like was the student present and prepared at classes? Did the student prepare carefully for all simulations? Did the student contribute significantly to making the classes and simulations successful learning experience?

### **7.2.3. Professional Development**

Did the student take advantage of opportunities to learn from readings, simulations, and actual experiences? Did the student do a thoughtful job of analyzing and reflecting on his or her own experiences and that of classmates? Did the student use course materials effectively in analyzing problems raised by cases? Did he or she show improvement in the semester?

### **7.3. Lawyering Skills**

#### **7.3.1. Interviewing and Counseling**

Was the student successful in eliciting the relevant information? Did the student develop an appropriate rapport with client? Did the student help clients to define their concerns and identify and choose among options?

#### **7.3.2. Legal Research and Analysis**

Was the student's research and analysis of legal issues thorough and accurate? Was it accorded in a fashion that made it usable for subsequent students?

#### **7.3.3. Writing/Drafting**

Was each written product accurate, organized, thorough and concise? Did the documents drafted reflect knowledge of the relevant law as well as the client's intentions and wishes? Did the pleadings and defenses written put forth a convincing case based on appropriate legal theory?

## **8. Case Handling Obligations**

- A) Students must take responsibility for handling their matters expeditiously and for making and executing all decisions relating to their matters. By their last team meetings, they must take all actions necessary either to close a matter or

to get it to a stage that is appropriate for transfer, whichever occurs first, unless some unforeseen circumstances necessitates early withdrawal, or unless they are interested in continuing the representation beyond the end of the semester.

- B) Students must keep files orderly and up to date in accordance with the guidelines set forth later in this Clinic Manual.
- C) Students must prepare a detailed work plan for each case (including target dates for each step) and submit it to the supervisor within ten days after the initial interview.
- D) Students must submit to the supervisor, before mailing or filing, all documents, another party or government agency. They must leave the supervisors a few days to review any document.
- E) Prior to submission of a document to his/her supervisor, a student and his/her partner should carefully review it for substance, style and typos; make sure each document represents your best effort.
- F) With respect to all initial client meetings and with respect to later meetings if the case team decides it would be useful, students must videotape the meeting with tacit or express consent of the client.
- G) Students must put all documents which they prepare for a client in the appropriate filing system.
- H) Students must keep the client fully informed of developments in the case.

## **9. Office Procedure**

### **9.1. Clinic Office**

Students shall have access to the Clinic's Office 24 hours as long as they are registered for the Clinical Programme. Registered students may use the office at any time to tape simulations, meet with clients and other concerned bodies, and conduct any other activities. Because of shortage of resources, the office may be shared with other students registered for a different clinical programme. That means it is not possible for students to have permanent carrels. Thus, students must pick up their

materials when they leave the office so that the space will be available for other students.

## **9.2. Rooms and Video Equipment**

This is a room where an interview and other related activities and taping simulations will be conducted. Moreover, it will serve as us to keep equipment for such purposes. The Clinic administrators shall schedule rooms for meetings with clients and students for simulations. They will also schedule and set up video equipment if the simulation or meeting is to be taped or students wish to review tape. Instructions and guidelines shall be introduced for students so that they can use those equipments properly. Students must communicate administrators about their needs and programmes in advance. Students shall also be reserved from confirming the time for meetings or other programmes to their clients until they are being certain about the availability of rooms and all necessary equipments.

## **9.3. Word Processing**

A computer is available in the clinic office for word processing which will be done by the students. There shall be system administrator so that students may consult him in case they need help. He /she must also follow up the proper service of computers.

## **9.4. Copying**

There will be a copier in the Clinic Office which students may use it for their clinic related jobs. They may seek help from the Clinic administrator.

## **9.5. Telephone**

A telephone will be available at the Clinic office so that the Clinic administrator will answer to calls if students are not in the office. Out-going calls –calls related to local and long distance calls may be made from the Clinic office but with the supervision of the administrator.

## **9.6. Supplies**

The Family Clinic Office will have its own stationery and all forms of supplies

## **9.7. Security**

All clinical students and staff should guarantee the security of the Office. All should make sure they locked the door when leaving even if that is for a short time. They should also take care of all properties of the office and do not allow any one other than students and instructors to be in the office without work.

## **9.8. Transportation**

The clinical office shall have at least one vehicle under its disposal. The vehicle will be available for students where the programme is to take place outside the law faculty. In the absence of vehicle for the office the clinic will reimburse students for the cost of transportation for activities to be done a way from the Clinic.

## **9.9. Dress**

Whenever students are to hold meetings with a client in the Clinic, they should dress like a lawyer. Students must give some thought as to what will make their particular client feel respected, comfortable, and confident in them.

## **9.10. Behaviour**

Clinical students should act as role model for their clients. They should follow rules of standard behavioural norms and rules of professional conduct. It is a duty for students to create and maintain a professional atmosphere.

## **9.11. Confidentiality**

The students should keep secret all information they come to know due to their position, activities and contacts. In the class room, office or in any work place they

should feel free to discuss the cases they observe and handle with the supervisor and their classmates unless they told otherwise. Outside of the clinic, however, students should maintain strict confidentiality by disclosing no information that would identify the parties and related facts.

### **9.12. Addresses**

In the Clinic Office there shall be the instructor's and her assistances' full information must be posted and accessible to the clients and students. Moreover, the Clinic office shall have a mail address to be utilized by students and direction will be set concerning out-going mails related with the clinical programme.

### **10. Files**

Case files must stay in the Clinic Office. If students want to work on their cases outside of the Law Faculty, they should photocopy the necessary documents. Files should be kept in alphabetical order in the file drawers.

### **11. Engagement Agreements**

The legal Clinic, representing students, must enter into engagement agreement with each other client who seeks legal service. Although clients generally will not be paying for the Clinic's legal services, engagement agreement is a useful device for:

- formalizing the scope of the work they agreed to undertake;
- Setting forth any disbursements the client will be expected to pay, example, filing fees;
- Setting forth for any other obligations the Clinic expect the client to meet;
- Establishing who the client is.

## **12. Code of Conduct**

Regarding liability of students, the relevant provisions of the civil and criminal codes of Ethiopia will be applicable. For administrative breaches, the code of conduct to govern the students as well as the supervisors will be defined by the clinic after further study.

## **13. Who should be represented?**

12.1 The Family Clinic may offer legal representation and other legal services to those needy people.

12.2 For the purpose of the Clinic, those needy people are the ones who are not in a position to pay all or part of the payments required to legal services.

12.3 such fact shall be proved by the production of written application and a letter written from the Kebele about his/ her indigence.

## **14. The amount of cases to be handled by the Clinic**

The amount of cases that the clinic takes on has to be decided by the supervisor.

## **15. The Ratio of Class Activity to Practice**

The ratio of class activity to practice will be 30: 70

## **16. Class Size**

The Class size for this clinical programme shall be between 25 and 30.

## **17. Level of Students**

Students who are left with only three more semesters to graduate should undertake the clinical programmes, provided that they have already taken all the pre-requisite courses, such as Constitutional Law, Family Law, and Civil Code. This Clinical

Programme will be offered for fourth year, second semester students and fifth year students.

### **18. Admission Criteria**

1. Students to this Clinic shall be selected on the basis of their entrance exam and previous cumulative grades
2. Entrance exam and previous cumulative grades shall account for 50% each.

### **19. Supervisor**

1. The instructors to be assigned in the Clinical Programme shall have good practice in such field
2. In default of such practice, they shall be committed practitioners.
3. At least two supervisors shall be assigned to supervise this clinical programme.

### **20. Attendance**

Attending each and every breakdown of the program content is a mandatory requirement for the students. As far as the supervisor is concerned, he/she has to follow-up the performance of each student in each breakdown of the program. The so-called “portfolio method” has to be applied, whereby the students will record the activities that they have undertaken in relation to the clinical program in a certain journal that is to be kept with the supervisor.

### **21. Level of Courts**

Normally students will attend and practice in all levels of law courts where their respective law schools found, first instance courts, high courts and supreme courts including cassation courts both federal and regional type. But other classes of courts like sharia courts, administrative courts, labour courts and municipality courts may also resorted to.

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