“Salus Populi Suprema Lex”

Revised August 2018
Table of Contents

INTRODUCTION
MISSION STATEMENT OF LAW SCHOOL
PA RULES OF PROFESSIONAL RESPONSIBILITY
PA BAR STUDENT PRACTICE RULE
GRADING
OFFICE PROCEDURES
CLINICAL DIRECTORY
ADDENDUM A: Clinic Evaluation Form
ADDENDUM B: CLIO Guide
ACKNOWLEDGMENT FORM
PHOTOGRAPHY CONSENT AND RELEASE FORM
**Introduction**

This Manual will familiarize Clinic students with Clinic policies and procedures in order to ensure high quality client representation, adherence to ethical requirements, and the best possible educational experience.

Students are expected to review the contents of this Manual and to follow the policies and procedures set forth within.

**Mission Statement of the School of Law**

It is the mission of the Duquesne University School of Law to train lawyers to a high degree of professional skill with a special, Catholic sensitivity to ethical and moral concerns.

Cicero’s dictum, *salus populi suprema lex* – the welfare of the people is the highest law – is central to the mission statement of Duquesne University School of Law.
Students are required to adhere to the Pennsylvania Rules of Professional Responsibility while serving as student attorneys in clinical courses.

Please review and familiarize yourselves with the Rules at: https://www.padisciplinaryboard.org/for-attorneys/rules/rule/3/the-rules-of-professional-conduct

Please pay particular attention to the following rule:

1.6 Confidentiality of Information

   a. A lawyer shall not reveal information relating to representation of a client unless the client gives informed consent, except for disclosures that are impliedly authorized in order to carry out the representation, and except as stated in paragraphs (b) and (c).

   b. A lawyer shall reveal such information if necessary to comply with the duties stated in Rule 3.3.

   c. A lawyer may reveal such information to the extent that the lawyer reasonably believes necessary:

       1. to prevent reasonably certain death or substantial bodily harm;
       2. to prevent the client from committing a criminal act that the lawyer believes is likely to result in substantial injury to the financial interests or property of another;
       3. to prevent, mitigate or rectify the consequences of a client's criminal or fraudulent act in the commission of which the lawyer's services are being or had been used; or
       4. to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client, to establish a defense to a criminal charge or civil claim or disciplinary proceeding against the lawyer based upon conduct in which the client was involved, or to respond to allegations in any proceeding concerning the lawyer's representation of the client; or
       5. to secure legal advice about the lawyer's compliance with these Rules; or
       6. to effectuate the sale of a law practice consistent with Rule 1.17; or
       7. to detect and resolve conflicts of interest from the lawyer's change of employment or from changes in the composition or ownership of
a firm, but only if the revealed information would not compromise the attorney-client privilege or otherwise prejudice the client.

d. A lawyer shall make reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client.

e. The duty not to reveal information relating to representation of a client continues after the client-lawyer relationship has terminated.

Confidentiality in Clinic Cases

Student attorneys will be privy to confidential information as part of their work. Student attorneys must exercise extreme care to ensure that a client’s information is always protected. Student attorneys must also ensure that the attorney-client privilege is not violated by the inadvertent disclosure of client information to third-parties. Student attorneys may discuss their cases with students in the same clinic, with their supervising attorney, and with the Clinical Legal Education staff.

Student attorneys may not discuss the specifics of their cases with students in OTHER programs or students not enrolled in the clinical program. Students may not discuss their cases with Duquesne University School of Law faculty members or administrative staff OUTSIDE the Tribone Center.

Once a student attorney completes the term of the clinic, he/she is no longer entitled to receive confidential information about cases.

Students who enroll in any clinic acknowledge and agree by their registration and participation that if they cause harm to the Clinical Legal Education Program, Duquesne University School of Law has the right to take necessary disciplinary action against them. This disciplinary action may include, but is not limited to, termination from the clinical program, a failing mark in the student’s final grade, and, in serious matters, dismissal from Duquesne University School of Law.

PA Requirements For Formal Participation in Legal Matters by Law Students

Pa. B.A.R. 321 and 322 set forth the requirements for law students to formally participate in legal matters and authorized activities that may be undertaken by legal interns. Duquesne University School of Law requires an additional
qualification that a student has taken evidence sometime during the three required semesters of study.¹

Please review and familiarize yourselves with the Rules at:

http://www.pabarexam.org/bar_admission_rules/321.htm
http://www.pabarexam.org/bar_admission_rules/322.htm

GRADING

Grading

The following provisions will be considered when determining a student’s final grade for each semester. These provisions are evaluated in conjunction with your clinic’s syllabus.

Clinic Evaluation Form

Attached as Addendum A to this handbook is the Clinic Evaluation Form, which incorporates the concepts set forth below.

Attendance

Attendance is required for all scheduled clinic classes. Students are expected to provide an excuse for any missed classes. Please refer to student attendance policies and clinical courses and programs in the latest version of the Academic Bulletin https://www.law.duq.edu/academics/policies-procedures.

Class Preparation

Students are expected to be prepared for their clinic class. Preparation for class may include updating the supervising attorney and fellow student attorneys on the status of a case or providing an analysis of relevant case law.

Hours

Each semester of clinic education requires a time commitment of a minimum of one (1) hour and forty (40) minutes of class per week in addition to direct case hours of ten hours per week. This direct case work may be completed by working on tasks assigned by the supervising attorney such as case research, case analysis, file preparation, file review, client interviews, client preparation and if applicable, attendance at court or administrative hearings. This direct case work does not include homework or reading in other classes.

¹ The requirement of Evidence can be waived under certain circumstances with the approval of the Clinic Director.
**Weekly Time Reports**

Students must provide their supervising attorney with a weekly timesheet documenting their hours and describing their work. All submitted time is subject to review by the supervising attorney(s) and the clinic director. Students may turn in their timesheets during class or by 4:00 p.m. on Fridays.

The Law Clinic Administrative Assistant will keep track of student hours to ensure progress towards a semester’s hourly requirement; however, the supervising attorney or the clinic director will approve, track and provide a finalized determination of all student hours.

**Client Interviews**

Interviews of current or prospective clinic clients are to be conducted only with the permission of the supervising attorney. Unless specifically authorized by a supervising attorney, no student attorney should meet with clients, potential clients, or witnesses outside of the clinic building. Student attorneys should not meet with clients or witnesses after regularly scheduled business hours. Any client meeting that must be scheduled outside of normal clinic office hours must be approved by the supervising attorney.

For each new client interviewed, students must complete a Clinic Client Intake Form as provided by your clinic’s supervising attorney.

**Correspondence**

Student attorneys must submit outgoing letters and emails to their supervising attorney for review. **No letter, document, or email should be mailed, hand-delivered, faxed or transmitted in any way unless a supervising attorney has reviewed, edited, and approved the correspondence.** The final signed copy of the correspondence (not applicable to emails) must be on clinic letterhead. A copy of the final signed correspondence on letterhead or email must be placed in the case file and scanned for uploading to CLIO.

**Professionalism**

Student attorneys are expected to conduct themselves professionally in the clinic offices, with clients, in any hearings/meetings with opposing counsel, with other lawyers, with judges, with officials, and with classmates. This includes not speaking about another client’s case in front of another client.

**File Management**

Students will often be given assignments requiring them to maintain a case file. Each student attorney is responsible for opening, maintaining, and closing case files in the manner required by his/her respective supervising attorney. Students are also responsible for ensuring that files are kept in the designated location in the clinic assigned for case files.
Files must never be removed from the clinic offices without the permission of the supervising attorney. It is imperative that files are accessible at all times by the supervising attorney, clinic staff and classmates.

All phone messages must be placed in the specific case file with a notation on the message sheet indicating when the call was returned and by whom.

Please be careful not to disclose any confidential client information during review of the case file.

Students are required to ensure that all updates on their case files are added to the CLIO case management system in a timely fashion in accordance with the training provided by the Law Clinic Administrative Assistant.

All materials in hard copy files must be scanned into the CLIO client file.

In addition, hard copy files of your cases must be maintained in the format specified by the Law Clinic Administrative Assistant. Periodic reviews of your CLIO and hard copy files will be conducted.

**CLIO**

Students must input all clients taken by the clinic into the CLIO file management system. This will include a client’s contact information as well as the information relating to the opposing party. Students shall utilize this system as provided in Addendum B of this handbook.

**Conflict Checks**

Before any client is represented by the clinic, the responsible student shall conduct a conflict check. This conflict check shall be conducted by insuring that the client information is timely imputed into CLIO. Additionally, the student assigned to the client shall forward the client name, opposing party name as well as case type to the Clinic Administrative Assistant in order for a conflict email to be sent to all other clinics. All conflicts checks must be completed as soon as possible following an initial client intake.
OFFICE PROCEDURES

Telephones

The main number for the Duquesne University Clinic Office is 412-396-4704. Potential clients should be encouraged to call this number rather than the supervising attorney directly.

- To dial a local number, dial 9 + area code + phone number
- To dial long distance numbers, dial 9 + 1 + area code + phone number
- The phones are to be used for clinic related calls only.
- Whenever possible students should utilize the clinic phones for client calls as opposed to their personal telephones.

When leaving messages for clients, do not leave any confidential information in the voicemail.

Test Messages

Absent an emergency, students should not text message a client. In the event that an emergency makes it absolutely necessary to text message a client, the student must print and place the message into both the digital and hard file. It may also be beneficial for students to create a Google phone number that can be used to call and text clients, while protecting their personal contact information. Students should consult with supervising attorney.

Mail Service

The University delivers mail to the clinic between 10:15 and 10:30 a.m. Outgoing mail must be delivered to the outgoing mail slot in the student mailbox center by 10:00 a.m.

Any mail going out of the office after 10:30 a.m. must be delivered to the mailroom in the Rockwell Hall Basement by 4:00 pm. If a letter needs to be postmarked by a certain date, please inform the Law Clinic Administrative Assistant that the mail must go out by this date.

When mailing certified mail with a green USPS certified mail receipt, the return receipt should be addressed to the relevant supervising attorney. The client’s name and the related correspondence should be documented on the back of the receipt for record keeping purposes. All mailing receipts should be promptly stapled to the appropriate filed correspondence.

Requests for overnight UPS mail must be presented to the Law Clinic Administrative Assistant by 2:00 p.m. Please provide a phone number for the
recipient. The client’s name and the related correspondence should be documented on the back of the receipt for record keeping purposes. The mailing receipt should be promptly stapled to the appropriate filed correspondence.

Please do not wait until the last minute to mail correspondence. Students are required to meet any noted mailing deadlines.

**Office Supplies and Fixtures**

Students are reminded that all office supplies and fixtures (computers, desks, file cabinets, USB drives, writeable cd, etc.) are the property of Duquesne University School of Law. Care should be taken to ensure that office supplies are not wasted and that school property is not damaged.

If you are in need of any office supplies that are not readily available, please ask the Law Clinic Administrative Assistant to obtain the needed items for you from the supply closet. Please note that the use of office supplies for personal use is a violation of the Duquesne University policy.

**Security**

The University Security Department requires the use of your Duquesne issued University ID for access to the Tribone Center for Clinical Legal Education.

Please note, students will have access from 7:30 a.m. until 7:30 p.m. If you need access outside these hours, please contact your supervising attorney and the Law Clinic Administrative Assistant in advance to ensure needed access.

For safety reasons, it is best if students access the Law Clinic from the Fifth Avenue entrance at all times.
# CLINICAL DIRECTORY

<table>
<thead>
<tr>
<th>Professors</th>
<th>Office Extensions</th>
<th>E-mail</th>
<th>Room</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tracey McCants Lewis</td>
<td>1686</td>
<td><a href="mailto:lewist1@duq.edu">lewist1@duq.edu</a></td>
<td>308</td>
</tr>
<tr>
<td>Katherine Norton</td>
<td>1688</td>
<td><a href="mailto:nortonk1@duq.edu">nortonk1@duq.edu</a></td>
<td>309</td>
</tr>
<tr>
<td>Tiffany Sizemore</td>
<td>5694</td>
<td><a href="mailto:sizemoret@duq.edu">sizemoret@duq.edu</a></td>
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<tr>
<td>Dan Kunz</td>
<td>1685</td>
<td><a href="mailto:kunz575@duq.edu">kunz575@duq.edu</a></td>
<td>305</td>
</tr>
<tr>
<td>Grace Orsatti</td>
<td>1214</td>
<td><a href="mailto:orsattig@duq.edu">orsattig@duq.edu</a></td>
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<tr>
<td>Barbara Griffin</td>
<td>1686</td>
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<tr>
<td>John Rago</td>
<td>1039</td>
<td><a href="mailto:ragoj@duq.edu">ragoj@duq.edu</a></td>
<td>236</td>
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<tr>
<td>Adrian Roe</td>
<td><a href="mailto:aroe@roelawoffice.com">aroe@roelawoffice.com</a></td>
<td></td>
<td></td>
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<tr>
<td>Sam Simon</td>
<td><a href="mailto:ssimon@hh-law.com">ssimon@hh-law.com</a></td>
<td></td>
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<tr>
<td>Michael Simon</td>
<td><a href="mailto:Simon@duq.edu.edu">Simon@duq.edu.edu</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Justin Romano</td>
<td><a href="mailto:Romano.jt@gmail.com">Romano.jt@gmail.com</a></td>
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<tr>
<td>Elizabeth Delosa</td>
<td>5877</td>
<td><a href="mailto:delosae@duq.edu">delosae@duq.edu</a></td>
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<th>Law Clinic Office Manager</th>
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<tr>
<td>Beth Licciardello</td>
<td>4730</td>
<td><a href="mailto:licciardellos@duq.edu">licciardellos@duq.edu</a></td>
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<td>Civil Rights – Kristyn Giarratano</td>
<td><a href="mailto:giarratanok1@duq.edu">giarratanok1@duq.edu</a></td>
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<tr>
<td>Education Law – Megan Rothermel</td>
<td><a href="mailto:rothermelm@duq.edu">rothermelm@duq.edu</a></td>
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<td>Externships – Hannah Fielding</td>
<td><a href="mailto:fieldingh@duq.edu">fieldingh@duq.edu</a></td>
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<td>Family Law – Annie Booth</td>
<td><a href="mailto:bootha1@duq.edu">bootha1@duq.edu</a></td>
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<td>Federal Litigation –</td>
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<tr>
<td>Juvenile Defender – Brazitte Poole</td>
<td><a href="mailto:pooleb@duq.edu">pooleb@duq.edu</a></td>
<td></td>
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<tr>
<td>Pro Bono – Adam Duh</td>
<td><a href="mailto:vogta@duq.edu">vogta@duq.edu</a></td>
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<tr>
<td>Veterans Clinic – Michael</td>
<td><a href="mailto:richardsonm1@duq.edu">richardsonm1@duq.edu</a></td>
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<td>Second Floor Back Classroom</td>
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<tr>
<td>Third Floor Hallway Workstation</td>
<td>1872</td>
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<td>Hallway</td>
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</table>
ACKNOWLEDGEMENT

I ______________________________ (print name) have read, understand and will abide by the rules, policies and procedures contained within the Duquesne University School of Law Tribone Center for Clinical Legal Education Student Manual.

____________________________________________
Signature required

____________________________________________
Date
I hereby give to Duquesne University of the Holy Spirit (hereinafter referred to as “the University”), along with its agents, employees, legal representatives and assigns, the legal right and permission to take, produce, use, publish and copyright photos, images, quotes, voice, video/film/broadcast or music by/of me in conjunction with my own or a fictitious name. These can be produced through any medium now known or developed in the future without any restrictions, for any purpose whatsoever which is consistent with the mission, values and purposes of the University.

I waive any right to inspect or approve the finished product. It is hereby stipulated and agreed that such production and use of said words, music or images will not violate my rights, and I, for myself, my heirs, executors, administrators and assigns, hereby release and discharge the University and its agents and employees from any and all claims, demands and/or causes of action of whatever kind and nature for their actions taken pursuant to the authority granted herein.

Further, it is hereby stipulated and agreed that I will receive no compensation for the use of said words, music or images, and Duquesne University will incur no liability for payment of compensation to me nor any person or organization as a result of the production and use of the aforesaid photographic images.

I hereby certify that I am eighteen (18) years of age or older and legally competent to execute this Consent and Release. I have read this Consent and Release, understand the contents, and intend to be legally bound by it.

Signature ____________________________________________ Date______________
Printed Name ___________________________________________________________
Event/Project ___________________________________________________________
Permanent Address _______________________________________________________
Phone _________________________ email _________________________________
Witness _______________________________________________________________
Printed Name __________________________________________________________

If under 18 signature of parent or guardian ________________________________
Printed name of parent or guardian ______________________________________