

CIVIL PRACTICE LEGAL CLINIC

LAW 673 - SUMMER 2023 SYLLABUS

Faculty:

Assistant Professor Dale Aschemann

Legal Clinic - Room 177

Class – Room 164

1150 Douglas Drive

Phone: 618-534-1764 (cell)

Office phone: 618-536-4423; 618-453-8797

email: dale.aschemann@siu.edu

Office Hours: Monday thru Friday, 8:00-11:00 am and 1:00-4:00 pm when not in court or attending site visits. If you attend office hours for any reason (or if seeing Linda for any reason), please be equipped with a notebook and pen for notetaking purposes. We are here to assist you in every way we can and we expect you to have questions. Like a new attorney in a firm asking questions of a supervising attorney, though, you should first make a reasonable effort to determine the answer on your own. For instance, if you have a question about intestacy, I would expect you to ask that question after you've reviewed the Probate Act. This is not to discourage you from asking questions – again I welcome that – but trying to find the answer on your own is a practice skill you can begin working on here.

Course Objectives: See Clinic Missions and Goals for Students, Mission Statement, and Program Goals and Objectives located in Civil Practice Clinic Handbook (tab 2).

Clinic Student Assessment and Evaluation: See documents contained in the Civil Practice Clinic Materials.

LEGAL CLINIC STUDENTS REQUIRED TO ATTEND ALL CLASSES. Should you have a compelling reason and need to miss class, please discuss this with Professor Aschemann before missing the class.

CLASS MEETING TIME AND LOCATION: Tuesday and Thursday 11:15-12:30 in Room 164.

SUGGESTION ON READING ASSIGNMENTS: Please consider reading the first two weeks of assignments at the beginning of the semester rather than waiting until they are assigned. Then, prior to each class review the reading materials before we have the class discussion on that topic. Those reading assignments cover the most basic legal issues you're likely to address in the clinic and you are likely to have clients with legal needs that are covered by these assignments. This is also a good way for you to get your clinic hours during first two weeks of the semester as you are attempting to schedule your clients for appointments.

STAFF MEETINGS: Each class will begin with a staff meeting. During staff meetings, we will discuss case assignments, legal issues, scheduling, and we will devote time to law office

practice topics and special projects. If you encounter any issues or problems (scheduling, difficult client, etc.), please share that during the staff meeting. This presents a good opportunity to share experiences with your classmates and discuss options to address the issue.

CLASS EXPECTATIONS:

Students are expected to take notes during class. You may do this with a computer. If computers are present in the classroom, they are **authorized exclusively for taking notes** during the current class. Emailing, internet searches, doing other classwork, etc. is prohibited.

This class involves interaction with clients. Please dress appropriately when in their presence.

When you attend a site visit, you are required to take interview notes regardless of whether you are conducting the interview. Sharing your notes with the interviewer can be a great assistance.

In advance of client meetings, it is a **best practice** to print and closely proof documents **the day before the meeting**. Time management and attention to detail are key skills in this clinic.

You must email your time sheets to Dale Aschemann and Linda Clendenin by 4:00 p.m. on Friday each week. When you have a site visit on Friday afternoon, you may email your time sheet on the following Monday by 4:00 p.m. If you have not emailed your time sheets by the appropriate time, you are not entitled to credit for the time contained in the tardy timesheet. **THERE WILL BE NO EXCEPTIONS TO THIS RULE.**

WEEK 1 – June 13 – Orientation; Introduction to office procedures and forms

Assignments:

- [] Read the Legal Clinic Student Handbook. Review the Abacus handbook.
- [] Turn in the documents for working in Clinic, in file folder, to Linda Clendenin.
- [] Turn in your class/work schedule to Linda Clendenin if you have not yet done so.
- [] Introduction to ABACUS and SharePoint.
- [] Schedule ABACUS/merge training with Linda Clendenin.
- [] Introduction to Wills and Durable Powers of Attorney (in class); drafting Will.

WEEK 1 – June 15 - Estate Planning

- [] **Reading Assignment:** 755 ILCS 5/1-1 through 5/5-3; and 5/15-1 through 5/15-4; 5/18-1; 5/18-1.1; 5/18-10; 5/18-12; 755 ILCS 30/1; 765 ILCS 1005/1-2.
- [] Discuss (and, if desired, execute) Will.

WEEK 2 – Class on June 20 – Advance Directives/Durable Powers of Attorney

- [] **Reading Assignment:** Review Durable Power of Attorney statutes 45/1-45/4-12. Pay close attention to: 45/2-3, 45/4-4, 45/3-4. Bring an outline of questions that you would ask in an interview for durable powers of attorney and be prepared to share and discuss your line of questioning during class.
- [] Create your own Durable Powers of Attorney for Health Care and Property.

WEEK 2 – Class on June 22 – Transfer on Death Instruments

- [] **Reading Assignment:** 755 ILCS 27/1 Real Property Transfer on Death Instrument statute

WEEK 3 – Class on June 27 - Interviewing & Client Assessment

- [] **Reading Assignment:** Treatise reading materials posted in TEAMS.
- [] Review the example of the client interviewing assessment form that is in Section 3 of The clinic handbook. Consider these as guidelines when preparing for your client interviews.

WEEK 3 – Class on June 29 – Guardianships

- [] **Reading Assignment:** Be familiar with the Illinois Probate Act section on Guardianship, 755 ILCS 11a-1 thru 11a-23. Please pull the guardianship information forms and typing requests. Please bring the applicable statute sections to class.

WEEK 4 - Class on July 4 – Holiday; No class

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WEEK 4 – Class on July 6 – Class on July 19 – Health Care Surrogate Act

[] **Reading Assignment:** 755 ILCS 40

WEEK 5 – Class on July 11 – Review of Estate Planning/Claims on the estate and classification of claims

[] **Reading Assignment:** TBA

WEEK 5 – Class on July 13 – Public Guardian and Administrator/Office of State Guardian

[] **Reading Assignment:** Handout to be provided.

WEEK 6 – Class on July 18 – Elder Abuse – Guest Speaker Stacey Aschemann

[] **Reading Assignment:** TBA

WEEK 6 – Class on July 20 – Professional Identity and Cross-Cultural Competency

[] **Reading Assignment:** TBA

WEEK 7 – Class on July 25 – Clients with Diminished Capacity/neurodiversity

[] **Reading Assignment:** Rule of Professional Conduct 1.14 and handout

WEEK 7 - Class on July 27 – Class Presentation

Syllabus Attachment

Summer 2023

IMPORTANT DATES:

Semester Classes Begin:06/12/2023
Last day to add full-term course (without Dean's signature):06/18/2023
Last day to withdraw from the University with a full refund:06/23/2023
Last day to drop a full-term course for a credit/refund:06/25/2023
Last day to drop a full-term course (W grade, no refund):07/16/2023
Final examinations:08/03–08/04/2023

Note: Please verify the above dates with the Registrar calendar and find more detailed information on deadlines at <http://registrar.siu.edu/calendars>. For add/drop dates that apply to shorter-than-full-term courses, please look at the Schedule of Classes search results at <http://registrar.siu.edu/schedclass/index.php>

SUMMER SEMESTER HOLIDAYS:

Juneteenth 06/19/2023
Independence Day 07/04/2023

DIVERSITY: Southern Illinois University Carbondale's goal is to provide a welcoming campus where all of our students, faculty and staff can study and work in a respectful, positive environment free from racism and intimidation. For more information visit: <http://diversity.siu.edu>. Additional [informational flyer](#).

DISABILITY SUPPORT SERVICES: SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Disability Support Services coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval please contact DSS immediately at (618) 453-5738 or <https://disabilityservices.siu.edu>. You may request accommodations at any time, but timely requests help to insure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty.

MILITARY COMMUNITY: There are complexities of being a member of the military community and also a student, and military and veteran related developments can complicate academic life. If you are a member of the military community and in need of accommodations please visit Veterans Services at <http://veterans.siu.edu/>.

STUDENT MULTICULTURAL RESOURCE CENTER: The Student Multicultural Resource Center serves as a catalyst for inclusion, diversity and innovation. As the Center continues its work, we are here to ensure that you think, grow and succeed. We encourage you to stop by the Center, located in the Student Services Building Room 140, to see the resources available and discover ways you can get involved on the campus. Visit us at <https://smrc.siu.edu/>.

SALUKI CARES: The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students and their families, SIUC will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For information on Saluki Cares: Call (618) 453-2461, email siucare@siu.edu, or <http://salukicare.siu.edu/>.

SAFETY AWARENESS FACTS AND EDUCATION: Title IX makes it clear that violence and harassment based on sex and gender is a Civil Rights offense subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here: <http://safe.siu.edu>.

SIU COUNSELING AND PSYCHOLOGICAL SERVICES (CAPS): Mental health counseling services are available by calling CAPS at (618) 453-5371. CAPS offers confidential same-day services and ongoing counseling. For after hours crisis care, students are encouraged to call 988, 911, or present to their nearest emergency room.

MISSION STATEMENT FOR SOUTHERN ILLINOIS UNIVERSITY CARBONDALE

SIUC embraces a unique tradition of access and opportunity, inclusive excellence, innovation in research and creativity, and outstanding teaching focused on nurturing student success. As a nationally ranked public research university and regional economic catalyst, we create and exchange knowledge to shape future leaders, improve our communities, and transform lives.

COVID-19: SIUC's policy on face masks and social distancing is consistent with the guidance from the Centers for Disease Control and Prevention and the Illinois Department of Public Health. For up-to-date information, students, faculty, and staff should visit SIUC's COVID website (siu.edu/coronavirus), which includes the Saluki Safety Plan. People can also send an email to pandemicinfo@siu.edu.

MPOX: SIUC is monitoring the developments with Mpox. Mpox can affect anyone regardless of gender identity or sexual orientation, and we ask that our campus community remember our commitment to diversity, equity and inclusion. Students who suspect they may have Mpox may visit [Student Health Services](#) for evaluation. Additional information can be found on the [CDC website](#).

WITHDRAWAL POLICY (Undergraduate Only): Students who officially register for a session must officially withdraw from that registration in a timely manner to avoid being charged as well as receiving a failing grade for those classes. An official withdrawal must be initiated by the student, or on behalf of the student through the academic unit, and be processed by the Registrar's office. For the proper procedures to follow when dropping courses and when withdrawing from SIUC visit: <http://registrar.siu.edu/students/withdrawal.php>.

SIUC'S EARLY WARNING INTERVENTION PROGRAM (EWIP): Students enrolled in courses participating in SIUC's Early Warning Intervention Program might be contacted by University staff during a semester. More information can be found at the University Core Curriculum's Overview webpage: <https://corecurriculum.siu.edu/for-faculty/>.

EMERGENCY PROCEDURES: We ask that you become familiar with Emergency Preparedness at SIU. Emergency response information is available on posters in buildings on campus, on the Emergency Preparedness at SIU website, and through text and email alerts. To register for alerts visit: <http://emergency.siu.edu/>.

CATALOGS:

catalog.siu.edu
gradcatalog.siu.edu - Graduate policies often vary from Undergraduate policies. To view the applicable policies for graduate students, please refer to the graduate catalog.

CENTER FOR LEARNING AND SUPPORT SERVICES:

Tutoring: <https://clss.siu.edu/tutoring/>
Math Labs: <http://math.siu.edu/courses/course-help.php>

WRITING CENTER: <http://write.siu.edu/>

PLAGIARISM: See the Student Conduct Code: <http://srr.siu.edu/student-conduct-code/>

INCOMPLETE POLICY (Undergraduate Only): <http://registrar.siu.edu/grades/incomplete.php>

REPEAT POLICY: <http://registrar.siu.edu/students/repeatclasses.php>

MORRIS LIBRARY HOURS: <https://libcal.lib.siu.edu/hours/>

ADVISEMENT: <http://advisement.siu.edu/>

SIU ONLINE: <https://online.siu.edu/>

Need additional help with an issue? Visit **SALUKI SOLUTION FINDER** at <http://solutionfinder.siu.edu/>