



waitematā
community law centre

te korowai ture o waitematā

prospectus for law student volunteers 2017

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Henderson

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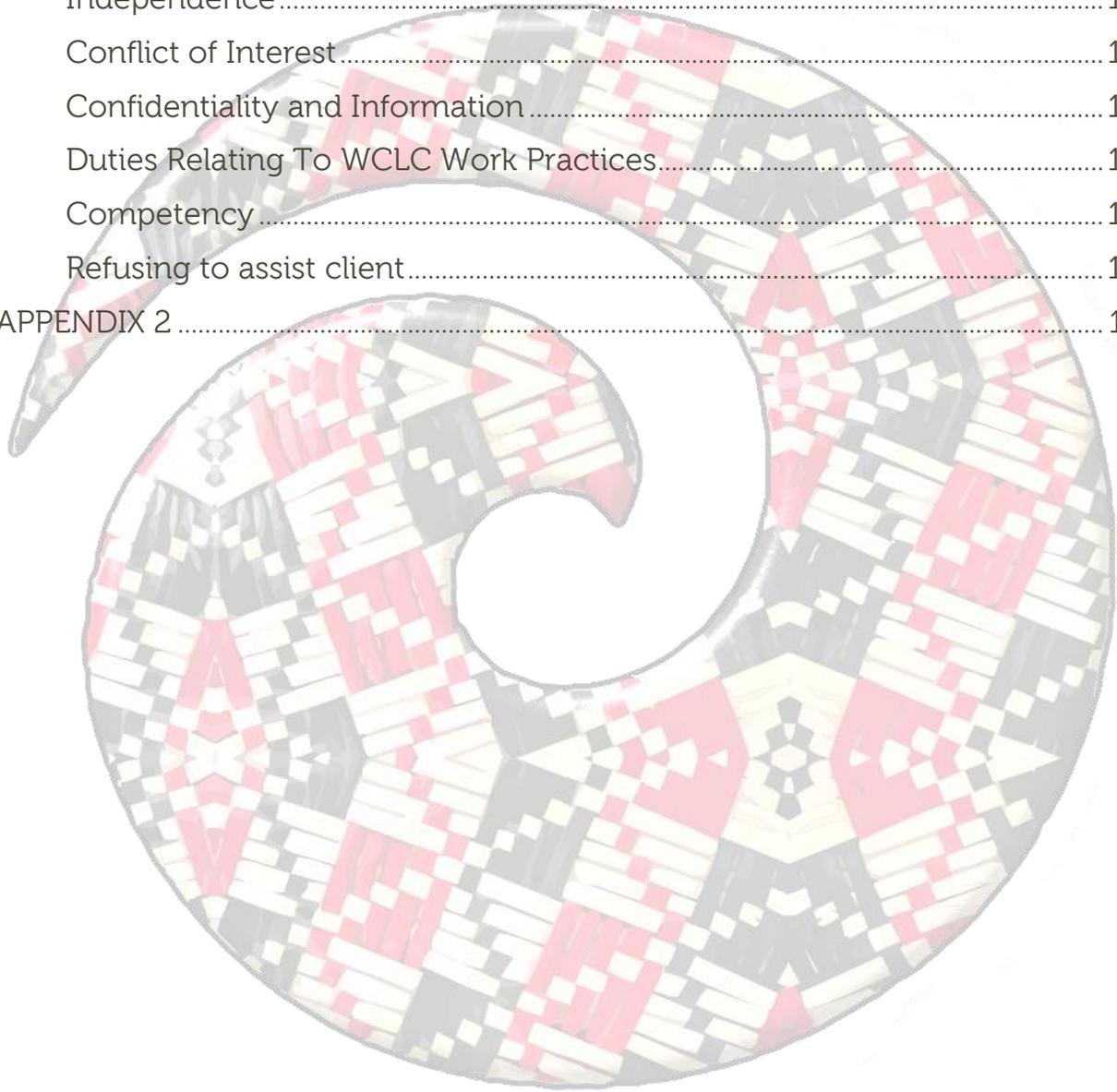
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Executive Summary

Waitemata Community Law Centre (“WCLC”) is a community law centre which was established to enhance the lives of people most in need and whose lives are impacted by unresolved legal issues. A key focus for WCLC is to identify systemic barriers to justice and make the most of opportunities for systemic change in the justice system.

Equal Justice Project (“EJP”) is a student-run, non-profit organisation which was established to promote access to justice in Auckland. EJP achieves its goals by promoting voluntary legal work by law students in partnership with community groups and the profession.

WCLC and EJP recognised their common interest and have thus formed a partnership whereby EJP students have supported the work of WCLC by volunteering at WCLC legal advice clinics.

What sort of work does WCLC do?

WCLC focuses its services to meeting high unmet legal needs. Research demonstrates that high unmet needs correlate to other forms of social exclusion (many of which in turn correlate with poverty).

WCLC focuses its services towards members of the community who experience social exclusion in two ways:

1. By targeting services towards sectors of the community that have been deemed to be priority groups (i.e. groups who typically experience high levels of social exclusion)
2. By assessing clients in terms of the level of social exclusion they experience and delivering appropriate levels of service to each client.

Priority Groups

The priority groups we have identified are:

- Tangata Whenua
- Tagata Pasifika
- People on low incomes
- People who receive benefits
- People under 25
- People with disabilities
- Mental Health clients
- Refugees and Migrants
- Single parents
- People over 65

WCLC works primarily in the following areas of law:

- Family
- Employment
- Discrimination
- Consumer and Debt
- Benefit entitlements
- Criminal and traffic
- Tenancy and Housing
- Public/Administrative Law
- Immigration (to a limited degree)
- ACC

How does WCLC deliver its services?

In attempting to resolve a client's legal issue, WCLC seeks to provide the client with sufficient legal information, strategies and tools to solve their legal issue for themselves. If the legal issue is on-going, the client will be provided at each stage with further such support. Where the legal issue calls for direct assistance, WCLC will attend to telephone calls and correspondence on the client's behalf. The emphasis on empowerment remains throughout - the client will be encouraged to undertake whatever tasks they are capable of doing themselves.

Except in exceptional circumstances, WCLC is not able to represent clients in Courts or Tribunals. If a client requires representation in a Court or a Tribunal, WCLC will usually refer the client to a private solicitor and cease to act for the client on that matter.

Why Volunteer?

The five main reasons you should volunteer at WCLC legal advice clinics are:

1. You will get hands on experience dealing with real clients.
2. You will practice the core skills you will need in your future legal work.
3. You will give to your community and to improve the lives of those in need.
4. You may also credit your volunteer hours at WCLC towards a community placement opinion credit.
5. You will also be provided with certificate verifying the type of work you did, what learning outcomes you obtained, and how well you performed (further references are available only at the discretion of the WCLC).

Am I eligible?

Students who have completed Stage 2 Laws and wish to volunteer will be eligible to express an interest and attend an induction seminar.

WCLC may decline, suspend or revoke a place on the programme in the event that the student does not have the minimum competencies. Minimum competencies include:

- The ability to act in a professional and appropriate manner
- An ability to communicate clearly in written and spoken English
- The ability to synthesise information into their work practices.

WCLC may also decline, suspend or revoke a place on the programme:

- In the event that a student fails, after a reasonable opportunity, to meet the student practice guidelines and WCLC policies.
- In the event that the student commits a serious breach of the student practice guidelines and/or WCLC policies.

WCLC Clinics

WCLC currently delivers the following legal clinics per week.

Henderson

1 Trading Place, Henderson
Monday to Friday | 9:30am to 4:30pm

Northcote – Outreach

Northcote CAB, Library Building – Ernie
Mays Street, Northcote
Mondays | 10am to 1pm

Birkenhead – Outreach

Birkenhead Community Link
87 Birkenhead Ave, Birkenhead
Mondays | 2pm to 4pm

Glen Eden – Outreach

VisionWest – 97 Glendale Road,
Glen Eden
Wednesdays | 12pm to 2pm

Ranui – Outreach

Ranui House – Swanson Road, Ranui
Thursdays | 1pm to 3pm

Waipareira – Outreach

Whanau House
6-8 Pioneer Street, Henderson
Thursdays | 1pm to 3pm

The clinics are staffed by WCLC lawyers on a roster. The lawyers interview and advise clients on a first-come-first-served basis. Clients do not need an appointment - they simply turn up.

Students work with the lawyers during clinic. Most clients are seen by 1 lawyer and 1 student. Some clients may be seen by a new student acting under the supervision of a WCLC lawyer, or by approved students alone.

Students are allocated to clinics through a roster system ONLY at our Henderson office. Usually, students have one or two rostered days per fortnight. We have 2 shifts per clinic: (this is for our Henderson office clinics only).

Student Shifts: Monday to Friday
Morning Clinic: 9:30 am to 12:30 pm
Afternoon Clinic: 1:00 pm to 4:30 pm

Students are also given the option to volunteer for a full day. WCLC does see some clients outside of clinic times and by appointment. Volunteer students are rarely involved in those meetings.

How do clients access clinics?

Clients arrive during clinic times. First time clients fill out a job sheet that outlines the nature of the problem and provides WCLC with personal and statistical information.

Once the client has completed their job sheet, they are seen by the next available lawyer (together with a student) in the order in which they arrived.

What do students do in clinics?

New students are responsible for the following activities:

- Attending interviews with a lawyer or conducting interviews under a lawyer's supervision.
- Taking notes during interviews.
- Assisting lawyers with research and problem solving prior to advice being given.
- Taking comprehensive notes of advice as it is given.
- Writing file notes that summarise a case's material facts, the advice given, as well as any outcomes.
- Printing file notes & attaching them to a client's file.
- Doing follow-up work as directed (such as making phone calls or drafting letters/other documents).
- Attending clinic meetings and summarising the daily files.
- Delivering files to the supervising lawyer at the conclusion of said meetings.

Conducting interviews

New students are able to interview clients under the observation and guidance of WCLC lawyers once they get approved.

Students will be provided with interview guidelines. Students must follow those guidelines when interviewing clients. The student's role when interviewing is to obtain the material facts.

The student **MUST NOT** provide advice to clients. If a client asks a question that requires applying law to the clients facts (i.e. giving advice) the student must decline to answer that question. Giving advice is the lawyer's job.

Further Training

New students will be required to attend a training session after approximately one semester of participation in the volunteer programme. That training session is in addition to the initial induction they received. It is an opportunity to receive feedback on their work. It may also form the basis of preparing them for work as an approved student.

Approved Students

Approved students will be provided with further opportunities to develop their legal skills. Approved students may potentially:

- Conduct conflict checks.
- Conduct client interviews independently of WCLC lawyers.
- Take responsibility for on-going case work on particular client files.
- Support clients at meetings with third parties.
- Engage in some of the other WCLC activities (such as tenancy advocacy services; legal education; providing 0800-lawinfo).
- Occasionally conduct research.

Approved students undertake additional activities under the direction and supervision of WCLC lawyers.

How do I get approved?

A student may be approved if they demonstrate they have met professional standards of client service. To demonstrate you have met professional standards of client service you must show that you have mastered the tasks expected of a new student, particularly those around interviewing. You will also need to demonstrate you can follow additional guidelines and that you have an appropriate sensitivity to client needs to make you a safe practitioner.

The Manager and Senior Lawyer will be responsible for assessing and approving a student. There is no set timeframe for gaining approval. However, it is likely that you will need to have volunteered for at least 40 hours before you will have sufficient experience.

Opinion credit substitute

It is acknowledged that some students will use their volunteering at WCLC to obtain an opinion credit with the University of Auckland undergraduate law programme. The Faculty of Law may grant an opinion credit to students who undertake a 40 hour community placement. The volunteer programme is a qualifying community placement.

WCLC will retain a log-book recording student volunteer hours. Students will be responsible for making note of their attendance and ensuring that this is signed off by a WCLC staff member.

How will you get the most from your experience?

The opportunity to work directly with clients under the supervision of an experienced lawyer is a rare privilege for students and future lawyers. It is an opportunity for you to learn some of the hardest and most fundamental skills of being a lawyer, and to learn those skills in a safe and supportive way. It is very unlikely you will get this opportunity again before your first legal job. You are urged to take grab this opportunity in both hands. There are no shortcuts for learning these skills - the only way is to practice them.

WCLC lawyers are extremely busy doing important client work. You will gain the most from this opportunity if you are proactive and seek out opportunities. Do not be afraid to ask WCLC staff if there are any tasks you can help them with. Ask for opportunities to practice skills you want to learn – such as interviewing clients or drafting documents. Take responsibility for your own learning, but do not try to run before you can walk. If you commit to this programme, are patient, and follow the processes we provide, your opportunities to learn will expand.

APPENDIX 1: Basic Housekeeping

VLS Commitment to WCLC Clinic:

One morning per fortnight from 9.30am to approx 12:30pm

Rosters

We require as much notice as you can give for non-attendance.

NB: If a student misses more than 2 shifts without contacting the coordinator, your place will be given to the next person on the waiting list.

Punctuality

The Legal Clinics start at 9.30am. Please be sure to arrive a little before then.

On Arrival

- **First day**

Please introduce yourself to the admin team Ashika or Gemma. She will bring you through the security door, and you will be shown through the office, and introduced to the WCLC Team.

- **Thereafter**

Please acknowledge the receptionist on the way in, then make your way towards the back of the office, & around to the Law Students computers.

Dress code

Smart/casual

Name tags

You will find your personalised name tag hanging beside the Student Notice Board. Please wear your name tag when attending clinic, and don't forget to put it back when you leave!

VLS Acknowledgment form

Please sign the acknowledgment form and have it witnessed by one of our Lawyers on the morning of your first clinic. Take a photocopy for yourself, and give the original to Louise.

Record of attendance (for students wanting 40hours Community Placement)

'Record of attendance' is each Student's responsibility. You can place your booklet (in alphabetical order) in the VLS folder, located on the cabinets by the Student Computer desks.

Shredder

Please note that it is extremely important that all notes containing client information – no matter how small – are to be placed in the Security Shredding Bin (located next to the column behind the photocopier). No exceptions!

Location/Bus/Train Station

Please see attached map.

Parking

You will find free 240min (4hour) parking at Henderson Mall *at marked areas only* – please check the parking signs, as they do clamp cars parked over the time allowed. Or alternatively, there is paid parking in & around Henderson.

Refreshments

Complimentary Coffee, Tea, & filtered water provided.

Ethics and Client Care Rules

Overriding Duty

The overriding duty of a lawyer is as an officer of the court. The lawyer must not attempt to obstruct, prevent, pervert or defeat the course of justice.

Core Duties to Client

Client Interest

The lawyer must protect and promote the interests of the client to the exclusion of the interests of third parties.

Independence

A lawyer must be independent and free from compromising influences or loyalties when providing services to his or her clients.

Lawyer must exercise professional judgement based on the lawyer's understanding of the law and solely for the benefit of the client.

Loyalties: to lawyers own business or personal interests; to other client's interests (see below)

Influences: personal beliefs (for example, you don't like what the client is proposing to do, you don't believe the client's case is tenable).

Conflict of Interest

Lawyer must not act for more than 1 client on a matter where there is more than a negligible risk that the lawyer cannot discharge their obligations to one or more of the clients.

Confidentiality and Information

A lawyer has a duty to hold in strict confidence all information concerning a client.

Lawyer must disclose to a client all information that the lawyer has or acquires that is relevant to the client's issue.

Duties Relating To WCLC Work Practices

Competency

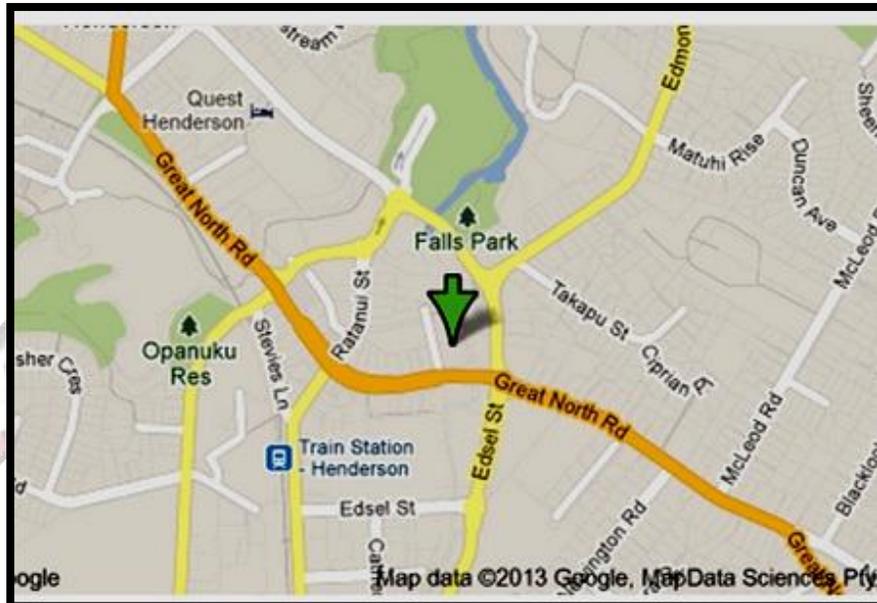
Lawyer must always act competently and in a manner consistent with duty to take reasonable care.

Refusing to assist client

Lawyer must be available to the public and must not refuse to work for services within lawyer's normal field of practice. A lawyer can refuse work if it is outside normal field of practice or there is not enough time available time.

APPENDIX 2

Central Henderson showing Trading Place, Railway Station and Bus Stops.



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Look up "Waitemata Community Law Centre"



Like us on
Facebook

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