

**STUDENTS LAW OFFICE MANUAL**

Faculty of Law Palacky University

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Právní vzdělání pro celý život

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# Foreword

Welcome to Students Law Office. Students of clinical programs all over the world constantly affirm that work in a law clinic is one of the best parts of their legal studies. We are pleased that you have takenthe opportunity to experience law in action, bring theory to life and to help most of all people who cannot afford to pay for help from an attorney.

This manual contains complete information about the work of the SLO and the internal regulations of the office. Here ou can find all procedures, contacts, advice and tips. We recommend that you write down your notes, comments and observations in it and that you carry it with you in the clinic at all times.

Your work in the Students Law Office consists of two main parts. The intake at the Office (especially the initial interviews with clients and receiving clients who already have a file) and work on the case file as administrator.

On the following pages, you can find our internal regulations: Statute of the SLO and the Ethics Code, which contain all of your responsibilities in Office. The Ethics Code will tell you how to behave as a lawyer and an ethical individual. After the Code other documents follow that together create a file with comments and information about the circulation of the file - how to record actions in cases and how to deal with the file.

You are looking at several weeks of work on real life cases. Legal problems of our clients are the same as their character and life stories. Sometimes it will be hard to look for a legal solution that would really help the client, at other times it will be difficult to explain legal advice to the client so that they could arrange their affairs accordingly.

A supervisor will oversee you. Unlike in ordinary seminar groups, in one clinical group there is a maximum of 8 students to one supervisor. This allows them to devote more time to each of you, but also increases their pressure on you to progress your clinic work.

Undoubtedly, your practice in the Office will be challenging, engaging and sometimes exhausting. However, we believe that this is good preparation for your future career and will be a valuable experience for you.

Your SLOffice

# Goals of Students Law Office

* Supervise the education of the students of the Faculty of Law, Palacky University, deepen their theoretical knowledge and broaden practical horizons
* Communicate to the students the functioning of the judicial system and public administration
* Encourage within the students the basics of professional ethics
* Provide quality legal services to the society,especially to the people who cannot afford paid help from an attorney.

# Contacts

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# Statute Students Law Office

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## SECTION ONE

## General provisions

## Article 1

## Scope of applications

The Statute of the Students Law Office (hereinafter "the Statute") regulates the provision of legal aid by students of the Faculty of Law Palacky University (hereinafter referred to as "FL PU"), as part of the elective subject Students Law Office (hereinafter "SLO") Administrative Law Clinic (hereinafter "ALC") Consumer Rights Clinic (hereinafter the "CRC") and, alternatively Small bussiness and law clinic (hereinafter "SBLC"). Acronym “SLO” is used also for general identification of live client clinics using the facilities of the Office of SLO.

## Article 2

### Definitions of notions

1. **Student** is a student of master’s degree in law on FL PU, who was chosen based on the selection process for work in SLO.
2. **Administrator** is a student according to paragraph 1, who was assigned a case to solve.
3. **Supervisor** is an academic staff of FL PU, an attorney registered in the list of attorneys kept by the Czech Bar Association or a legal trainee registered in the list of legal trainees kept by the Czech Bar Association, in charge of a section of SLO.
4. **Centre for clinical legal education** is for the purposes of the Statute an organizational unit of the FL PU, whose members are the director of CCLE, the head of the Office of SLO and other employees of CCLE (further on “Centre”).
5. **File** is a collection of documents regarding the same case. For each legal issue (further on “case”) there is a file.
6. **Legal Aid** consists of all activities required to conduct legal analysis, which goal is to clarify legal dimension of a case and to propose possibilities, how to further proceed in the case. Legal aid is provided in written form as a legal advice that is conveyed to a client as well as in oral form as consultation.
7. **Legal Advice** is every written document containing legal analysis of all the information provided by the client about the case and suggestions on how to proceed with notification of possible risks connected to them.
8. **Client** is a recipient of free legal aid from the moment of registering in SLO from the moment of removal from the database of SLO clients.
9. **Record of files** is a physical form of database of files, including records on all actions in the case and circulation of the file set by these rules. Record of files is located in the Office available for all students.
10. **Electronic database** is simplified electronic register of files and data on them. The Centre has exclusive access to the Electronic database.
11. **Ethical Code**, as an annex to the Statute, is its integral part.

## Article 3

### Client

1. Legal aid in the Students Law Office is provided free of charge to the clients on the basis of an oral order contract. Whilst providing the legal aid, students are required to abide by this Code and the instructions of the client, provided they do not contradict the Statute. The client always determines the scope and objectives of providing legal aid and the way of dealing with the issue that will be analyzed. The client must always be informed about all possible ways of resolving the case.
2. The client may be provided legal aid for no more than in two cases during one semester.
3. The client always determines further steps in his case him/herself.
4. When providing legal aid, the students always deal directly with the client. In exceptional cases, it is possible that another person will represent the client, who cannot personally visit the Office of the SLO. The person has to demonstrate authority to the students with a written power of attorney, which shall be kept in the file.
5. In the criminal law section, it is possible to deal with client also on the basis of the letter to the SLO, if it is not possible for the sender to attend in person or by proxy pursuant to Art. 3 paragraph 4 of this Statute.
6. Communication with clients is usually conducted in person, however if the circumstances require, the students can communicate with clients by phone, mail, e-mail or other suitable distance communication means. For these purposes, students can only use the phone located in the Office and SLO e-mail address, under no circumstances are they allowed to use their personal electronic means of communication, such as, in particular, mobile phone or personal e-mail account.
7. During any communication with client, students have to ensure the protection of personal data and confidential information acquired from a client when providing legal aid.
8. The contents of any communication between students and a client must be always approved in advance by the supervisor and recorded in the file. After the communication between students and a client is conducted, the content of the interview is recorded in a protocol and kept in the file, stating the date, time, place, and method of communication and names of the students who communicated with a client.

## Article 4

### Providing legal aid

1. Legal aid is provided by the students under supervision of the supervisors.
2. Legal aid provided by the SLO is free of charge. Legal aid is provided primarily to persons, who cannot afford paid legal help, e.g. cannot afford legal services of an attorney.
3. There is no legal claim to legal aid provided by SLO.
4. Prior to providing legal aid in the SLO is a client is informed in writing of the principles and rules of providing legal aid in SLO.
5. Within SLO is the legal aid provided in these legal areas:
   1. civil law,
   2. civil procedure,
   3. family law,
   4. social security law,
   5. administrative law,
   6. labor law,
   7. criminal law with exception of defense.
6. Within the SLO is the legal representation in the courts or other authorities not provided and neither students nor supervisors can act on behalf of the client. The client makes all acts himself in his own name, the rights and obligations of the client's conduct therefore arise directly to the client, not to the SLO. Students can only rarely act on behalf of a client based on the power of attorney for a particular action, if necessary, and it is not a judicial or other proceedings and a supervisor (see Art. 12 paragraph 4 of this Statute) must approve it.
7. SLOis liable for damage resulting from the legal advice only in the event that while providing legal aid there was a culpable violation of the internal regulations of the Students Law Office on the part of students or supervisors and the damage arose therefrom.

## Article 5

### Refusing legal aid

1. The client may be refused legal aid without giving a reason. The client himself can terminate cooperation with the SLO without giving a reason to as well.
2. The provision of legal aid is always refused for these reasons:
   1. the case falls outside the scope of SLO,
   2. there is a deadline relating to the legal advice which falls, within 14 days of the day of the initial interview.
3. Providing legal aid can also be refused specifically on these grounds:
   1. complexity of a case (with regard to the possibilities and abilities of students performing activities in the SLO),
   2. client does not provide proper cooperation while receiving legal advice,
   3. workload in the SLO,
   4. legal advice demanded by a client is in conflict with principles of professional ethics,
   5. it is objectively impossible to meet the deadline the legal advice relates to,
   6. there is a conflict of interests (see article 7 of the Statute),
   7. a brereakdown of trust between the client and the SLO.
4. On a refusal or termination of providing legal aid, the client has to be properly and promptly informed. A model form of the refusal of legal aid is a part of this Statute.

## Article 6

### Protection of personal data

1. Personal data, provided by the client, is the SLO handling in accordance with the requirements of generally binding legal regulations and in accordance with the Consent to the processing of personal data, which model form is a part of this Statute. Prior to providing legal aid, a client is informed about the handling of the personal data in the SLO and grants SLO consent to the handling of data, which is a condition for providing legal aid in the SLO.
2. Students are obliged, at all times while working in the SLO, to respect the standard principles of security of sensitive date and confidentiality of the information provided in the framework of legal aid, especially under no circumstances to disclose them to third parties without client's consent.
3. The Centre, supervisor, another teacher or student may not use, to the detriment of a client, for his own benefit or the benefit of third parties, the information provided by or acquired from a client in connection with the provision of legal aid.
4. The Centre ensures the safety of documents acquired from clients in the system of storing the files in such places, where only the staff of the Centre, the administrators and the supervisor have access to them.
5. Audio and video recordings of interviews of students with clients are kept in a secure environment of Edis programme. Only the students involved in the conversation, their respective supervisor and head of the Office and the director of the Centre have access to such records. The Head of the Office shall destroy the record within 30 days of its acquisition.
6. All the documents created or acquired in the process of provision of legal aid are archived for at least five years from the date of conclusion of providing the legal aid with exception of audio recordings.

## Article 7

### Conflict of interests

1. When providing legal aid in the SLO students and supervisors must act in the client's interests. If this interest comes into conflict with any other interest that could have a negative impact on the quality of legal aid provided by the SLO, students are required to inform the supervisor thereof and after consultation with him/her to refuse to provide legal aid in the case.
2. The Centre keeps in accordance with the legal legislation a database of client information, which serves to minimize the risk of conflicts of interest, including the identification of legal issue with which the client has turned to the SLO with.
3. SLO will not deal with case, where conflict of interests may occur between client and interests of:
   1. teachers and students of Palacky University,
   2. Palacky University,
   3. Faculty of Law Palacky University,
   4. NGOs that take part in realisation of legal clinics at FL PU and their employees.

## SECTION TWO

## Students

## Article 8

### General Duties

1. A student is obliged to protect and promote the interests of a client and while providing legal aid to follow instructions of a client, supervisors and employees of Centre involved in the activities of the SLO.
2. A student is not bound by instructions from a client, if they are in conflict with generally binding regulations, the Ethics Code of the SLO, this Statute or instructions form a supervisor or an employee of the Centre.
3. A student is required to learn the principles of organization of the work in the Office of the SLO and the internal regulations and comply with them.
4. A student is required to work with due care and to the best of his/her knowledge and skills. They must care for the principles of professional ethics.
5. A student is required to attend regular meetings with his supervisor. Similarly, a student is required to attend meetings of the SLO organized during the semester.
6. The student is required to complete an organizational workshop and off-site workshop.
7. When working with the files, students are required to follow the Section Five of the Statute (Files).

## Article 9

### Intake at the Office

1. Each student is obliged to enroll for the Intake at the Office and complete them. The Centre determines the number of the Intakes at the beginning of the semester.
2. In the event that a student cannot under extraordinary circumstances complete his Intake, he must in advance notify the Centre.
3. While on duty at the Intake, the student is required to wear a nametag in a visible location.
4. The main task of the Intake is accepting clients, explaining to them the functioning of the Students Law Office in accordance with the Statute, find out from them the basic information about their issue and creating a file.
5. During the Intake in the Office, a student is required to ensure through his conduct that there are no unnecessary delays in receiving clients. During the Intake, a student also ensures that the Office is not noisy or cluttered and that the clients always find themselves in comfortable and trusted environment.
6. In the event that a student at the Intake is not taking care of any client, it is his/her duty at the office of the SLO to receive phone calls, to record and pass on messages, and respond to emails. The student also schedules clients for initial interviews and records the reserved date and time into the designated calendar.
7. A student at the Intake has the obligation to create the file in accordance with Article 24 of the Statute.

## Article 10

### Instructing clients during the initial interview

1. A student is obliged to instruct the client on the rules of providing legal aid in the SLO. In particular, a student has to submit a copy of a summary of rules, which is a part of the Statute, to the client. Receipt of the copy the client confirms by his signature on designated form.
2. The client must be at all times informed of the possibility of acquiring legal services from an attorney or other qualified person. If the legal advice applies to proceedings before a court, the client must be always informed about the possibility of appointing a legal representative by the court at the expense of the state. Furthermore, the client must be informed of the possibility to request the Czech Bar Association to designate an attorney to provide legal services.
3. Where a student discovers an apparent existence of a ground for refusal under Article 5 paragraph 2 of this Statute, he is obliged to refuse legal aid. The file is not created.
4. A student informs the client about the possible reasons, when the legal aid may be refused by the Student Law Office under Article 5 paragraph 3 of this Statute, as well as the possibilities of termination of the cooperation by the client.
5. If a person requesting legal aid on behalf on another person visits the Office, a student will instruct him of the obligation to submit a power of attorney.
6. A student is required to request consent from the client to the preservation and processing of personal data under Article 6 paragraph 1 of this Statute and confirmation of acquaintance with these rules, i.e. especially the rules on providing legal aid in the SLO.

## Article 11

### Rights and duties of a student in the premises of the Office of the SLO

1. Students are required to behave in the Office so as not to disturb other students at work, and in order to create a pleasant and trusted environment for the clients.
2. Students are required to keep the Office tidy. Students are required before leaving the Office to make sure that the Office is in the state that is suitablefor use by other students and clients of the SLO. A student is required to report immediately any defects he/she encounters in the Office.
3. Students are required when working in the Office to respect the basic principles of the security of sensitive data and confidentiality of information acquired during the provision of legal aid.
4. Students, who are present in the Office of the SLO, but are not on Intake, have an obligation to take documents from clients for copying and file of copies into the files. They record filing of the documents in the file, in the Record of files and report it to the administrators (Article 25 of the Rules). In the case of telephone or personal communication of other SLO students with a client, students are required to write a report about the communication, marking the date and signing it, which will be filed into the relevant file. After the filing is this student obliged, without undue delay by phone or e-mail, to contact the administrator of the file and inform him/her about the filed protocol.
5. Students, who are present in the Office, schedule clients for the initial interviews.
6. Students may, for the purposes of providing legal aid, use the SLO library. They are required to note the lending in the relevant records.
7. Students may, for the purposes of providing legal aid, use the phone in the Office of the SLO. It is not allowed to be used for private purposes.
8. Students may, for the purposes of providing legal aid only, use the copy and printing equipment of the Office of the SLO.
9. Students are entitled to use to the computers Nos. 1, 2, 3 and 4 located in the Office of the SLO work on cases, they are assigned to in the SLO,. Students may not use these computers for anything other than the work that falls within the framework of the activities of the SLO.
10. If necessary, students can also use computers in the computer room in the basement of the Building A FL UP for the work on cases. They must, however, the pay special attention to the privacy and confidentiality of clients' information provided in the context of legal aid, namely permanently remove all documents with such information from these publicly accessible computers. It is always necessary to check thatsuch files or papers are not left in the Recycle Bin. Students are required to mark the respective sheet located at the reception of the Building A, that they took the keys from the computer lab and which computer they used.
11. The students meet with their clients outside the hours scheduled for the Intake in the Office for the SLO. Meetings with clients during the scheduled hours can be held in other areas in the FL PU.

## Article 12

### Duties of the students when working on the cases

1. Students work the cases usually in pairs.
2. Students are required to familiarize themselves with all the information and documents related to their assigned case, and with any information sent to the contact e-mail address *studentskapravniporadna@upol.cz*. Once they receive the information sent on the e-mail students are required to confirm by replying to the sender and file the confirmation in paper form in the respective file.
3. The students are obliged to inform the client about the development on the case at appropriate intervals, which cannot exceed 14 days. Exception to this rule may be, in extraordinary cases, granted by a supervisor.
4. Students are required to record in the Record of files even unsuccessful attempts to contact the client by phone (date, time).
5. Students cannot act on behalf of a client and to represent him. In exceptional and justified cases, students may act as an substitute person nominated by the client for the particular actions that the client is unable to provide himself. It can be done only based on a written power of attorney signed by the client and approved by the supervisor, in which the tasks that students can perform for the client are precisely defined. Under no circumstances, however, is it possible for students to representclients in proceedings before the court, the arbitral tribunal or before an administrative body. Failure to comply with these rules will mean that the student has exceeded the limits of their activities under the SLO and for the consequences of such acts he is liable only to himself.
6. Students are required to draw up legal advice and a final report according to their best knowledge and conscience. The supervisor must approve legal advice before providing it to the client, record of which is made in the file. Legal advice, which is filed in the file, must bear the signature of supervisor.

## SECTION THREE

## Supervisors

## Article 13

## Principles of the supervision of the students in SLO

1. The relationship of the student and supervisor in the framework of the SLO is collegial. The supervisor is working with students to ensure provision of the best possible legal assistance to the SLO clients while paying attention to maximisation of professional, personal and value development of students.
2. The educational aim of the SLO is to deepen and link the knowledge of the law, legal skills development and enhancement of the value perception of law and the legal profession, especially in the area of ​​professional ethics and providing legal aid *pro bono.*
3. The social aim of the SLO is to provide pro bono legal aid to the persons, who for whatever reason cannot or do not want to use paid legal services. The Team FL PU contributes to ensure the constitutionally guaranteed right to legal aid.
4. Supervisors, taking into account the interest of the client on the timeliness and quality of legal aid, should in their actions, in the maximum extent possible, respect the principles of non-directive supervision. This means that students should have the maximum space for independent work on the cases, the supervisor should not, in a directive manner, specify the way of solving the case or to solve the case for them. A client always communicates with students, but with the prior approval of the content of the communication by the supervisor.
5. The supervision does not consist only in overseeing the students in solving cases, but also in developing their legal skills such as communication with the client, searching for legal information, legal analysis and writing legal documents.
6. The supervision is realised mainly by providing feedback that should be constructive, positive, motivational and oriented to the future.

## Article 14

## Duties of a supervisor

1. A Supervisor particularly:
2. continuously supervises the provision of legal aid by the students and proper performance of all related activities,
3. ensures the timeliness and quality of legal aid to the SLO clients, in particular by ensuring rapid distribution of cases and regular communication with students,
4. continuously provides feedback to students about work on cases in the SLO, to develop their knowledge, skills and professional responsibility,
5. teaches students to implement the principles of professional ethics and values of *pro bono* ​​legal aid,
6. develops in students legal skills and permanent work habits useable in practice,
7. leads students to shape their own judgment and strengthening the autonomy of their actions,
8. leads students to honor the dignity of the SLO clients and regard the principles of equal treatment of all of the SLO clients.
9. The supervisor is always obliged to, to the best of his knowledge and confidence, check the results of students’ work before they are communicated in any form to the client.
10. The supervisor in all of his activities ensures thr compliance with this Statute, the rules of providing legal aid in the SLO, professional ethical rules as well as generally binding legislation. The supervisor also ensures that the students comply with these rules in their work, providing them the feedback and assessment.

## Article 15

### Distribution of cases to the students and work on them

1. Supervisor evenly and appropriately assigns cases to the students at his discretion providing an objective assessment of the skills and abilities of the students.
2. The supervisor is entitled to withdraw any case from a student and to propose that the Centre will assign it to another SLO student to deal with it, if it deems appropriate.
3. The supervisor assigns a file to students within one week from the creation of the file in the Office and ensures that no later than two weeks from the creation of the file the client was contacted by telephone and informed that his case was assigned and students will work on it. If the assignment of the case causes undue burden on students, the supervisor may instruct the student to rejection othe case, due to the workload of the Office.
4. The supervisor ensures that individual acts of students do not diverge from the general framework of the order contract and the rules on providing legal aid in the SLO.

## Article 16

### Mutual relations of supervisors a students

1. The basic rule of the relationship between the supervisor and the student is collegiality and cooperation. Their relationship should relate to the professional relationship at work, as far as possible taking into account all the principles of the activities of the SLO.
2. The students and the supervisors should respect each other, respect each other opinions and work.
3. If a student or a supervisor feel that there is a problem in their relationship that cannot be resolved through their mutual communication, anyone of them can turn the director of the CLE for help in solving this problem.

## SECTION FOUR

## Centre

## Article 17

### General provisions of activities of the Centre in SLO

Centre

* 1. ensures the organizational running of the Office of the SLO,
  2. ensures oversight of supervisors,
  3. ensures the promotion of the SLO,
  4. organises the selection process of the students,
  5. acquaints the students with principles of providing legal aid in the Students Law Office (organizational workshop) and creates conditions for the development of key competencies (external workshop for the SLO students),
  6. prepares roster of the Intakes of the Students Law Office,
  7. ensure that the students are not overloaded with the casework, which could have repercussions on the quality of legal aid, determining the time of the acceptance of new cases,
  8. assigns the files to the supervisors and informs them about their creation,
  9. reviews the formal requirements of the files and archives them,
  10. communicates with the SLO clients,
  11. supervises compliance with the rules of providing legal aid in the SLO,
  12. keeps the record of:
      1. files in a Electronic database of files and in the book of Record of files,
      2. confidentiality statement and consents to the processing of personal data,
      3. incoming and outgoing mail,
      4. short-term lends from the SLO library,
  13. marks acts in the file, which itself has provided (especially messages from clients, phone calls),
  14. holds a joint meetings of the Students Law Office,
  15. teaches students to follow the principles of professional ethics.

## Article 18

### Selection Procedure to SLO

* + - 1. The condition for passing the SLO is a selection of a candidate in the selection procedure,
      2. A candidate may be:
  1. in the winter semester a student of the third to fifth year of the Master's program in Law and Legal Science
  2. in the summer semester, a student of the third to fifth year of the Master's program in Law and Legal Science

1. The SLO selection procedure takes place no later than three weeks after the beginning of the semester.
2. The Centre announces the selection procedure least two weeks before it takes place.
3. The members of the selecting committee are employees of the Centre and the SLO supervisors.
4. The candidate shall submit to the chairwomen of the selection committees, Lucia Madleňáková, Ph.D. or Mgr. Lucia Valentová, an application, which must contain the following information:
   1. name and surname
   2. year of studies
   3. contact informations: phone number and e-mail addresse
   4. a letter of motivation
5. An applicant, who fails to attend the selection procedure without prior apology will be deleted from the list of candidates.
6. The results of the selection procedure will the Centre publish on the blachboard of FL PU after the selection procedure is concluded, the latest by the next working day.

## Article 19

### Roster of intakes in the Office

1. The Centre is preparing a roster of Intakes according to the number of students selected in the selection procedure and the number of students reported guarantors of Consumer Rights Clinic, Administrative Law Clinic and Small Bussiness and Law Clinic. Students of civil section of the SLO generally get a greater number of Intakes than the students enrolled in other courses.
2. The exact number of Intakes is based on number of students and the estimated time the Office will be open to acquire clients.
3. Students will enroll for the Intake in the Office of the SLO until the first Intake starts. About the possibility to enroll and the number of Intakes will be the students informed no later than befor the beginning organization workshops.
4. If free unoccupied Intakes remain in the starting day of taking up cases, the Centre will allocate the Intakes to students, who did not choose their Intakes in the alphabetical order.

**Article 20**

### Organizational and external workshops

1. The Centre organizes for the SLO students an organizational and external workshop. Attendance at both workshops is compulsory for all students in the Students Law Office.
2. Organizational Workshop is held in the premises of the FL PU after the selection procedure is completed, before the External Workshop, so that before the Intakes in a given semester, all selected students have attended the workshop.
3. A student, who does not attend the organizational workshop within the set deadlines, will be immediately expelled from the Students Law Office.
4. The External workshop takes place during the winter and the summer semester and the students will be informed about its exact date and venue in a timely manner, no later than at the day of the selection procedure to the SLO.
5. The content of the External Workshop aimes at improving key skills and knowledge necessary for the actions in the SLO.
6. Student, who will not take part at the External Workshop without prior excuse, will be immediately expelled from the Students Law Office.

## Article 21

### Allocation of the cases

1. The Centre executes the allocation of cases within the SLO.
2. In the Office of the SLO operates a civil law section, which corresponds with the course Students Law Office and further Administrative law section (the course Administrative law clinic), Consumer rights section (the course Consumer Rights Clinic), Social Security Law section (in the course Students Law Office), Labor Law section (in the course Students Law Office), Criminal Law section (in the course Students Law Office), sports law (in the course Sports law) and Small business section (the Course Small Business and Law Clinic).
3. The method of the allocation is determined so that the weight of each group of the civil section supervisors is the same, and no later than in the day following day when the file was created in the SLO, there is no doubt, to whose supervisor the case belongs to.
4. The Cases are gradually allocated to individual supervisors, in alphabetical order of their surname, and according to the number corresponding to the number of student pairs in the supervisor’s group. The cases that have been solved in the past and which require continuation shall be assigned to the supervisor, who has overseen the case in the past, if it is not possible, the Office will proceed in alphabetical order.
5. During the semester the Centre continuously finds out from the supervisors the workload of their students and takes measures - especially early conclusion of acceptance of the cases, temporary omission of the supervisor in the round when allocating cases in order to the even the cases in other rounds, or by agreement with the other supervisors without evening out the number of cases.
6. Allocation of the file to a particular sections and supervisor is immediately indicated by the Centre in the Record of files and in the Electronic database. The Centre promptly informs the supervisor of allocation of new file. The File is stored in the compartment of a supervisor, to whom the file was assigned.

## Article 22

### Monitoring of compliance with the rules on providing legal aid

1. The Centre supervises the compliance with the rules on providing of the legal aid from the students, clients and supervisors.
2. The Centre receives claims of violation of the rules on providing of the legal aid from the students, supervisors and clients and take steps to remedy the situation.

## SECTION FIVE

## Files

## Article 23

### Filing Service

1. Filing service is a set of activities related to the acceptance, registration, handling and storing documents related to the cases.
2. Ther is a file for each case. Thus, if the client turns to the SLO with more than one case, a separate file is created for each case. Merger of the cases is possible in exceptional cases after agreement of the Centre with the supervisors.
3. The file always contains copies of all the documents submitted by the client relating to the case. The original documents are returned to the client. Original documents from other sources are filed in the file and numbered in accordance with the provisions of this Statute.
4. For each act in the case, a protocol shall be drawn up and filed in the file.
5. Also all case notes, records of telephone calls, records of meetings with clients and copies of all documents received from or sent to the client are filed in the file.
6. The database includes for each case information about the client, opposing and administrator, file number, records of the movements within the file as well as the date and method of handling the file. The database is kept in electronic form and in paper form (the Record of files).
7. The database in the paper form contains information about the movement of the file. Records into the paper form database are obliged to carry out students, supervisors as well as the Office. The model of such record is a part of this Statute.
8. Only the Centre is authorized to conduct the entries into the electronic database.
9. The database serves as an archive of handled cases in the context of Students Law Office, and as a resource for assessing potential conflicts of interest. Only Centre has the access to the database.

## Article 24

### Creation of the file

1. The file is created by a student on Intake in the Students Law Office at the first contact with the client. The basic objective of creation of the file is finding a sufficient amount of information needed to solve the case.
2. In exceptional cases, a file may be created with the approval of a supervisor without personal contact with the client, especially if the documents from a cooperating organization are being accepted. Alternatively, when contacted by a letter from a client serving sentence in a prison.
3. The outer cover of a file refers to the file number, client name and names of the administrator. The outer cover of the file is filled in by a student at Intake during the first contact with the client, in exception to the "administrators". The model of the outer cover is attachment number 1 to the Statute.
4. The file number consists of a register, a number that determines the standings and the year in which the file was created (eg. S 15/2006). The SLO keep the following registers:

O – civil cases

O - P – labor law cases

S – administrative law cases

SPOT – consumer law cases

SZ – social security law cases

O-T – civil with criminal background cases

T – criminal cases

1. On the inside cover of the file states the internal organizational information:
   1. who filled in the questionnaire,
   2. who are the administrators of the case,
   3. what section the case belongs to,
   4. who is the supervisor,
   5. key words,
   6. previous files from this client,
   7. whether the legal advice was provided or not, when and what was the reason for denial,
   8. overview of clinical hours,
   9. signature of administrators and the supervisor.
2. The attachment of a file is an arch "Content of the file", a model of which is part of this Stature. The first to note in the content of the file are these documents fitted with case number and number of the sheet on:
3. Initial Questionnaire with client’s contact details, short summary of the case, client’s wishes in the case, date and signature of a student, who conducted the interview, which model is a part of this Statute,
4. The Content of the File, which model is a part of this Statute,
5. The Protocol on the intial interview with a client, which model is a part of this Statute.
6. If a student, who has created the file, took documents from a client, he will state this in the List of documents acquired from the client and files the copies of these documents into the file. The form, which model is a part of this Statute, has to be signed by the student as well as by the client.
7. The documents that become part of the file are marked with the same file number. The sheets that form the content of the file are continuously numbered. The Contents of the file is not numbered. Numbered sheets begin with the Initial questionnaire. The documents in the file are numbered by the administrators of the case.
8. If the file lacks some of the essentials, the Centre alerts the supervisor of the missing parts of the file and requests the student, who created the file, to complete the file within set deadline.
9. It is strictly forbidden to file into the file original documents submitted by the client, but all the documents may be filed in the file as their copies.

## Article 25

### Work on the file and circulation of the file

1. All documents that become part of the file are noted in the "Content of the file", when acquired from the client the “List of the documents acquired from the client” has to be filled in.
2. The files are stored in the Archive. The Archive means the space reserved in the Office in the SLO for storing file.
3. The Files of active cases may never leave the premises of the Office of the SLO. It is prohibited to take out the files from the Office of the SLO except for;
4. meetings with the client in other FL PU's premises,
5. meetings with the supervisor,
6. work on the case in some of the classrooms in the building A of FL PU,
7. checks of the file by the supervisor.
8. Temporary relocation file for the purpose of meeting with the supervisor could be even remotely suggested by a supervisor concerned and approved by a present employee of the Centre. The relocation of a file from the SLO office space must be recorded in the Record of files the signed by both the students and the employee of the Centre. After the return of the file, the students will specify the date of its return joined with the signature. In the event that there is no employee present at the Office, a file cannot be relocated outside of the Office.

## Article 26

### Closure, control and archiving of the file

1. The file is closed by signing of by the supervisor and the administrators on the sheet "Internal Organizational Information" in the section Information on solving the case.
2. The Centre performs control and archiving of files. The Centre is also authorized to perform continuous control of the condition and location of files.
3. The file intended to archive must contain:
4. Content of the file, Initial questionnaire, Protocol on the interview with the client, List of documents acquired from the client, with the Internal organizational imformation form completely filled in and signed by the supervisor and the students,
5. Legal advice (copy or original of the Legal advice signed by the supervisor and students),
6. Final report signed by the students,
7. Declaration of acceptation of the legal advice. If the Declaration form was mailed to the client, and the client did not send/ bring it back to the Office signed within a reasonable time, its absence does not preclude conclusion of the file. The file can be archived and the information on the lack of the form will be indicated in the Record of files and in the Final report or in the Protocol of action.
8. Following the conclusion of the work on the case, the Centre checks the formal requirements of the file.
9. If it closed file does not meet the prescribed requirements, the Centre returns the file to the students for completion.
10. If the closed file meets the specified requirements, the Centre will mark the conclusion of the case in the Record of files, in the Electronic database and stores the file in the Archive.
11. The files are kept in the Archive by years (2009, 2010, 2011 ...), in order of file number in Sections of dozens. Postponed files are archived in the section for postponed files.

## SECTION SIX

## Common and Final Provisions

## Article 27

1. This Statute represents an internal regulation of the SLO and can be invoked only in the context of the activities of the SLO.
2. The scope of this Statute shall exercise
   1. supervisor in matters of work on the case;
   2. Centre in matters of organizational operation of the Office;
   3. Director of the Centre in all matters.
3. Students providing services under the SLO are obliged to get familiar with internal regulations of the SLO and to comply with their provisions. For failing to fulfill the obligations arising from this Statute, which has or may have a negative influence on the functioning of the Office, remedial measures may be imposed on the student.
4. Internal regulations of the SLO must also be freely accessible to clients of the SLO.
5. This Statute comes into force on 1st of March 2017.

JUDr. Maxim Tomoszek, Ph.D.

Director of Centre for Clinical Legal Education

Faculty of Law Palacky University

# Ethical Code

## Ethical Code of Students Law Office

## Preamble

Clinical legal education is an exceptional method of teaching law, which is able to connect knowledge acquired by the students with development of skills and values, notably the ethical aspects of the legal profession. Because the Students Law Office provides students with hands-on experience with real clients in solving real cases, it is necessary that all persons involved in providing legal aid are always aware of the ethical dimension of their activities. Convinced that for ethical issues there is often no single correct answer, were these pillars of professional ethics in the Students Law Office formulated as questions that students and supervisors should consider, whenever working on the cases of the Students Law Office’s clients. If they cannot find a clear answer, they should discuss the issue and look for answers in their value ladder.

## SECTION ONE

## Professional ethics of a student

## Article 1

## General provisions

1. If I myself was a client in SLO, how would I picture the behaviour of a student towards me? Do I fulfil this standard in particular situations?
2. Doesn’t my conscience and sense for professional ethics tell me that in particular situation I act unethically? Do I follow basic ethical rules when I work in SLO?
3. Do I always follow particularly the interests of the client?
4. Do I always take into consideration all legal and non-legal aspects of the case as well as its moral dimension when providing legal aid?
5. Do I act professionally, honestly, decently and fairly when providing legal aid?
6. Do I consult in advance with the supervisor on the advice to be provided to the client?

## Article 2

## Commitment to confidentiality and information obtained from client

1. Am I violationg in any specific case the obligation of confidentiality towards a client?
2. May I really disclose certain informations to a certain person in relation to a certain case? Would I consider it wrong, if the information on me and my case were spread in the manner that I am using, if I was the client in that particular case?
3. Do I treat the information obtained from a client in SLO always with the utmost degree of prudence towards the interests of the client? Was the client demonstrably acquianted with the manner of usage of the information?
4. Am I using in a harmful way towards the client or to my own benefit or the benefit of third parties information, that I acquired from the client or about the client in relations to providing legal aid?

## Article 3

## Conflicts of interest and a relationship of trust with the client

1. May I in particular case provide legal aid to a client? Isn’t the independence of my judgement impaired by the fact that:
2. there is a reasonable presumption of conflict of my interests with the interest of the client?
3. the interests of the client may be in conflict with the interests of other client, to whome SLO has already provided legal advice or is currently providing?
4. SLO already provided the legal advice to the opposing party?
5. multiple clients are requesting legal aid, whose interests contradictory?
6. If the legal aid was refused or providing the legal aid was concluded, were in the particular caseproper reasons for refusal of the legal aid? Was the refusal of the legal aid professionally ethical?
7. Does my client have trust in me? If not, did I conclude providing of the legal aid and did I hand the file over to the supervisor to assign to another student? Have I demonstrably acquainted the client with this procedure?.

## Article 4

## Professionalism of legal aid

1. Did I actively involve the client into the problem solving, especially by informing him in detail about various alternative procedures available for his issue?
2. Did I inform the client about all the requirements and consequences of all the alternatives to his issue and did I answer according to my abilities all of his questions?
3. Did I counsel the client that the choice of the alternative depends entirely on his decision and that I am not allowed in any way to influence the client in this matter?

## Article 5

1. Do I perform all the actions duly and on time?
2. Do all the documents fulfil all requirements set by the legal regulations and are they delivered within the time periods set by the legal regulations?
3. Can it be fairly required of me to fulfil the duties mentioned in this article and is their compliance objectively possible?

## SECTION TWO

## Professional ethics of a supervisor

## Article 6

1. Do I treat a student as my colleague?
2. If I was a student, how would I evaluate my partucilar response from the supervisor’s point of view in a certain case?
3. Do I lead a student when working on a case using clinical methods of education and so called indirective supervision? Do I exercise oversight over his way of providing legal advice and do I ensure professional standard of that advice?
4. Do I devote enough time to students and am I having enough contact with them?

## SECTION THREE

## Common and Final provisions

## Article 7

1. The aim of the individual provisions is to lead students and supervisors to ponder and reflect on the problems that can arise both in the Students Law Office as well as outside of it. There is no universal answer for these questions. Those, who would require only one correct and valid answer, deny the general objective of all provisions of this Ethics Code and of professional ethics as such.
2. The Ethical Code is an internal regulation of the Students Law Office. Its provisions can be invoked only in the context of the Students Law Office, and especially in the conscience of the students and their supervisors.

## Article 8

1. This Ethical Code shall come into force on 27th February 2012.

JUDr. Maxim Tomoszek, Ph.D.

Director of Centre for Clinical Legal Education

Faculty of Law Palacky University

# Model documents into the file

Front page

File of Students Law Office

Faculty of Law Palacky University

File No.: …....... …….....……/………………

section serial No.ber year

Client: …………………….............……………..

Administrators: 1………………………………..

2………………………………..



*File No.ber (apart of the section) and the name of the client is filled in by the student, who created the file.*



*Administrator of the file is a designated student chosen by the supervisor. The names are filled in by the administrators that were chosen by the supervisor.*

**Rules of legal counselling in the Students Law Office at Faculty of Law**

**Palacky University**

1. Legal aid is at Students Law Office provided by students under supervision of professors of Faculty of Law Palacky University in Olomouc, attorneys listed and registered with the Czech Bar Association or legal trainees listed and registered with the Czech Bar Association (further supervisor).
2. Legal advice consists of analysis of all information provided by the client and the goal of the analysis is to clarify the legal dimension of the case and suggest possibilities how to proceed in the case.
3. Legal help is provided primarily to people, who cannot afford paid legal help, e.g. they do not have enough financial means to pay an attorney. To clients whose finances allow them to pay for representations, we recommend to use these services, because an attorney may represent them in front of the court and generally does not need as much time as students in Students Law Office to provide an advice.
4. Students Law Office does not provide legal counselling in the area of law of business corporations, restitutions and in criminal law when the defense of accused is needed. Students Law Office does not accept a client to whom another subject is providing legal advice.
5. Students Law Office does not represent its clients in front of the court or other authorities and does not act on behalf of its clients. Client does all legal steps by himself under his own name.
6. Client decides further approach in his case. Students giving legal counselling to the client in the Students Law Office cannot decide for the client or advise him in any way ho to decide.
7. Students Law Office is responsible for damages caused by the legal advice only if in the course of counselling the students or supervisors have intentionally breached duties arising from the internal regulations of the Students Law Office.
8. Client has no legal claim toward the legal advice. Students Law Office reserves the right to refuse or to end legal counselling. The reason for such refusal or ending may be, for example, for breaching the rules of legal counselling by the client, failing to provide necessary information for drafting legal advice, excessive workload of the Students Law Office or extreme complexity of the case.
9. Legal advice is provided in written form passed on the client as well as in form of oral consultation. Drafting and preparing of the legal advice takes at least one month, according to the complexity of the case or even longer.

|  |
| --- |
| Students Law Office  Tř. 17. listopadu 8, 771 11 Olomouc  Tel. Num.: 585 637 616  E-mail: studentskapravniporadna@upol.cz |

|  |
| --- |
| *During a phone call from the Office of the SLO caller's ID appears as hidden. If you have visited us and left your contact, it is possible that an unknown incoming call is just the Students Law Office. In the event that students fail to reach you on your mobile phone number, you will receive an SMS about the missed call from Palacky University with the number of the SLO.* |

File. No.:………………………..

*You can glue or pin this page on the inner side of the file.*

**INTERNAL ORGANIZATIONAL INFORMATION**

**INFORMATION ON THE CREATION OF THE FILE**

Questionnaire filled in by: ……………………………..………………………………………

Administrators of the case:………….…………….……………………………………………

Section SLO: circle **O(P) O-P(L) O-T(PC) T(C) SZ(SS) S(A) SPOT(CN)**

Supervisor: ……………………………………………………………………………………...

**INFORMATION OF THE CASE**

Key words:………………………………………………………………………………….

Previous files:……………………………………………………………………………..

*Office will look up*

*If the administrators are a triplet, the third administrator will create his own table*

**INFORMATION ON SOLVING THE CASE**

Legal Advice - given - date ………………..

* refused - date …………….. - reason:………………………………

**OVERVIEW OF CLINICAL HOURS**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Date** | **Action** | **A: *Name***  **Hour Minute** | | **A: *Name***  **Hour Minute** | |
| 1.3.2017 | Tel. contact – acceptance of the file, arrangement of personal meet |  | 10 |  | 10 |
| 8.3.2017 | Personal meeting – viz. Protocol on action on sheets. 6-8 | 1 | 30 | 1 | 30 |
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Signature of the administrators: ………………………………………………………………

Signature of the supervisor:..…………………………………………………………………

*Vyplň Filled in by the supervisors and the administrators, lack of signatures = no archiving*.

Consent to the processing of personal data File No.:……………………..

**

DOES NOT BELONG TO THE FILE – ARCHIVED INDEPENDENTLY!!!!!

After creating the file, submit the form to the compartment labelled Consents

**CONSENT TO THE PROCESSING OF PERSONAL DATA**

The client as a subject of protection of personal data gives by his signature to the Faculty of Law Palacky University (furtheron only "the manager") consent, that all the information provided by the client in connection with the activities of Students Law Office, may be entered into the database, manged by the manager as a processor of the personal data, and further used by the manager for pedagogical purposes of the Faculty of Law. Palacky University.

The client gives consent to the acquisition of audio and video record of thr communication with the students of the Faculty of Law, Palacky University. This record contains only the voice of the client and the data that are kept in written form.

The administrator shall undertake to prevent the misuse of the information provided by the client in favor of third parties and shall undertake to use of such information only for educational purposes. If the teaching activities are performed outside of the Students Law Offce, the manager is obliged to anonymize this information. Audio recording may the administrator use only for the educational purposes and does not have permission to provide it to the third parties. The administrator will delete the audio recording itself after 30 days of its acquisition. There will be recording in writing about any manipulation of the audio recording.

The client gives consent to the handling of the above-mentioned from the date of signing of this Consent.

The client acknowledges that the consent may not be granted or may be withdrawn at any occasion, however its denial or revocation will result in termination of the provision of the legal aid by the Students Law Office.

**ACQUAINTENCE WITH THE RULES ON PROVIDING LEGAL AID BY SLO**

The client's signature confirms that he was acquainted with the aforementioned facts also been instructed on the rules providing legal aid to the Students Law Officel and received one copy of these rules during the initial interview, understands them and agrees with them.

In Olomouc date …………………..................................................................................

Name and surname of the client: …………………………………………….....................

Signature of the client: ……………………………………………………………………….

Content of the file File No.:……………

# 

**Content of the file**

**File No. .….. ……../20……..**

**Document (description of the doc) Sheet No.**

|  |  |
| --- | --- |
| *Initial Questionnaire* | *1* |
| *Protocol on the course of initial interview with the client* | *2* |
| *List of documents acquired from the client* | *3* |
| *Purchase contract* | *4-6* |
|  |  |
| *Administrators give No.ber to pages in the file, always in chronological order. No.bers are given to the sheets, not pages* |  |
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Initial Questionnaire file No. + starting No. of the sheet

**INITIAL QUESTIONNAIRE**

**FILE**

Date of creation of the file………………………… *Filled in by the student, who created the file*

File No.ber….. …………./……

**CLIENT**

Name and surname…………………….……...................………….....…….…………………………

Date of birth………………………….………….…............................………………………………..

Residence………………………….……………...….....................…………………………………..

Telephone………………………….………………….....................…………………………………..

Email…………………………..……………...................……………………………………..........

**CASE**

Brief description of the case: ……………………………………………………………………………

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Client is interested in:…………………………………………………………………………...............

…………………………………………………………………………………………………...…………………………………………………………………………………………………...………………Opposing party:…………………………………………………………………......................................

*Client gives signature that he provided truthful and complete information on the details of the case*

**THE CLIENT’S CONSENT**

The client's signature confirms that the information provided by him is true and complete and reflects the actual state of the submitted problem.

In Olomouc date………………….. Signature of client:……………………

Initial protocol file No. + sheet No.

**PROTOCOL ON THE COURSE OF INITIAL INTERVIEW WITH CLIENT**

|  |
| --- |
|  |
|  |
|  |
| *Here legibly write down everything about the case. Write down all the information, even though they seem to unnecessary.*  *Write legibly and clearly. Clear record with as much information as possible will facilitate and expedite the work on the case.*  *In practice, it has been proven useful for the students to take notes on extra piece of paper during the interview and then take time in peace to pick the important information on the form for the Protocol.*  *If you scratch like a cat, use a protocol template on the desktop computers in the office :)*  *Filled in by the student who created the file..* |
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List of acquired documents File No. + sheet No.

**LIST OF DOCUMENTS ACQUIRED FROM THE CLIENT**

**

*Filled in by a student, who accepts documents from a client to do a* ***photocopy*** *and to* ***put them is designated file*** *(during the intake, as an administrator, or as a student in Office outside of the Intake).* ***Original of the document has to be returned to client at all times!***

Name and surname of the client: …………………………………………………………….

Name and surname of the student: …………………………………..……………………..

I hereby confirm with my signature that I acquired copies of the following documents from the client of the Student Law Office named above.

In Olomouc date ……………………… ……………………………………

Student’s signature

I hereby confirm with my signature that I handed above named student of Students Law Office below listed documents in order to produce copies of these documents and store them in designated file.

In Olomouc date ……………………… ……………………………………

Client’s signature

List of the documents

|  |  |
| --- | --- |
| 1. | *Decision of the district court No. .........from .............* |
| 2. |  |
| 3. |  |
| 4. |  |
| 5. |  |

Protocol on an action File No. + sheet No.

**PROTOCOL ON AN ACTION**

**INFORMATION ON THE CLIENT AND FILE**

Name and surname of the client:……………………………………………………………….

Administrators: ………………………………………………………………………………...

Date: ……………….…………………………………………………………………………...

Protocol drawn up by: …………………………………………………………………………

**PROTOCOL ON AN ACTION** (delete as applicable)

**Phone call with a client** **Client dropped by in the Office** **Protocol during interview** **Other**

**Information from the client**

|  |
| --- |
|  |
| *Please always make record of an action in a case on the protocol.*  *You don’t need to use the model formular. Record of the meeting, phone call or unannounced visit in the Office with note to the administrators can be protocoled on a blank piece of a paper.*  *It is, however, important, that it has all the requirements stated in this form.*  *It is the only way we can prevent issues.*  *It is not only the administrators who fill in the protocol, but all of the students, who picked the telephone up at intake or spoke to the client in person.*  *Please inform the administrators about the protocol by mail or phone call.* |



Declaration of acceptation of the legal adviceFile No. + Sheet No.

**DECLARATION OF ACCEPTANCE OF THE LEGAL AID BY THE CLIENT OF STUDENTS LAW OFFICE**



*Declaration is signed by the client when receiving the legal advice. In exceptional cases, you can send the legal advice to the client in writing and ask him to send back the signed form. This procedure must be previously approved by a supervisor. The fact that your client does not send back the completed form, does not prevent the closure of the file. Note into the Record of files, Internal organizational information and the Final report, that you have sent the for, and you didn’t hear from the client anymore.*

Client ..............................................................................................................................

hereby confirms with his signature that on the day, month and year, he was by a student involved in activities of the Students Law Office provided legal aid, which written copy is annexed to this Declaration.

Client declares that he understands provided legal advice and that he has no reservations to the original copy thereof.

Client further declares that he is aware of the fact, that by receiving the legal advice the work of the Student Law Office on his case ends and that the right to submit a new case after having two files in one semester arises in the following semester.



*When providing the client with the legal advice always clearly and thoroughly explain all the information. Take enough time for the meeting.*

In Olomouc date ………………………………

………………………………………

Client’s signature

Attachments:

* Legal Advice

Model of rejecting legal aid **!NEW MODEL 2015!** File No. + Sheet No.

STUDENTS LAW OFFICE

Faculty of Law, Palacky University

tř. 17. listopadu 8, 771 11 Olomouc

Tel.: 585 637 616

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Sheet No.ber belongs only on the copy left in the file

Dear Mrs.

Alena Novotná Always delete the word „MODEL“ ☺

U Lesa 16 Choose the reason for rejection with supervisor

735 28 Horní Lhota and work in into the text.

File. No. O 46/2008

In Olomouc date 31. 7. 2012

**Model rejection of legal aid**

Dear Mrs. Novotná,

we regret to announce that we are forced to refuse to provide legal help in your case, that the Students Law Clinic registered on 24th May, 2008.

The reason for the refusal to provide legal aid is ...

*… lack of information about the facts of your case, for which, unfortunately, we cannot proceed in your case. This lack of information is due to the fact that you failed to provide us with evidence we asked for at the meeting on the 24th March, 2008. For these reasons, we would not be able to objectively draft your required petition in a duly and timely manner within the statutory deadline.*

*... legal complexity requiring detailed and deeper knowledge and experience from the students in the Students Law Office providing legal counselling, which we currently cannot secure.*

*...the fact that your case falls outside the scope of the Students Law Office and therefore renders us unable to legally assist in this area*

*…*

With regards from Students Law Office

|  |  |
| --- | --- |
| …………………………………………………………… | …………………………………………………………… |
| Student’s signature | Student’s signature |

Model Legal Advice **!NEW MODEL 2015!** File No. + Sheet No.

**Legal Advice**

File No. xxx/2015

Client:

Administrators:

In Olomouc date 26. 3. 2013

Dear Mr. Mark,

you reached to the Students Law Office with requesting legal advice on debt allowances for your shortly uninsured vehicles.

**I. Facts of the case**

**When solving your case, we proceeded from the following facts arising from the documents that you made available for us:**

Our task was to, on the bases of the legal legal analysis of your case, answer these questions:

**II. Legal regulation**

Following legal acts are applicable on your case:

**III. Legal analysis of your case**

**IV. Options and opportunities**

**V. Summary**



Sheet No.ber only on the copy left in the file

For legal advice always use the letterhead of the SLO. If the client is unable to come to the Office for legal counselling, with the client’s and supervisor’s consent, you can mail the legal advice to the client with enclosed Declaration. Simultaneously use ask the client to sign the Declaration and to mail it back to the Office.

The Legal advice has to be **APPROVEN** by the supervisor **BEFORE** it is provided to the client. Copy of the legal advice in the file has to be **SIGNED BY THE SUPERVISOR**.

With regards from Students Law Office

|  |  |
| --- | --- |
| ………………………………………… | …………………………………………………………… |
| Student’s signature | Student’s signature |

Legal Advice approved by:

Date:

Signature of supervisor:

Model Final Report  **! NEW MODEL 2015!** File No. + Sheet No.

**Final Report**

File No. xxx/2015

Client:

Administrators:

In Olomouc date 26. 3. 2013

**I. Facts of the case**

**When solving the case, we were following the facts arising from the documents that we had available from clients:**

**-** Briefly summarize the facts of the case

**II. Chronological work on the case**

* How the communication from the client unfolded from the initial interview, whether the information or documents were added on throughout the work on case, when and how
* Timeline in points is enough with possible explanation of delays

**III. Application of legal regulations, judicature and literature**

Following legal acts apply to the case:

* Act No. 168/1999 Coll., on…

When interpreting the notion XXX we used commentary/article/vocabulary

* state, which relevant legal regulations, judicature and literature you used when working on the case

**IV. Reflection on the work with the client**

* describe the work with client, communication, orientation in case

**V. Reflection of gained knowledge, skills and values**

* evaluate, what you learnt, what new pieces of knowledge you acquired, what legal skills you used to solve this case, what new skills you had to acquire in order to solve this case, what values you came across, what did you have to debate in this case.

1. Knowledge
2. Skills
3. Values

…………………………………… ……………………………………

Student’s signature Student’s signature

# File circulation

To protect data about clients and because of the need for traceability of each file or action recordable within the file, the Students Law Office holds detailed records of the movement of files.

For each action shall be recorded in the protocol, which is stored in respective file. Every phone call, action, loan of the file (situation where the file is leaving the Office for the purpose of meeting with a client or supervisor) shall be recorded in the Record of files.

# Record of files

(how to fill in the page on the file)

*Each file is recorded on a separate sheet. Entry information (highlighted in bold) are filled in by the student who created the file. The rear side of the sheet remains empty. Another file begins on a new sheet.*

*Information on supervisor and the first line under the bold line*

*are filled in by the Office.*

*Other lines are filled in by the student, who,*

*performed an action on the file.*

|  |  |
| --- | --- |
| **Date:** | **File No.:** |
| **Created by:** | **Client:** |
| Supervisor: | |
| Administrators: 1. | |
| 2. | |
|  | |
|  | |
| 10.2.12 assigned to supervisor Valentová | |
| 11.2.12 assigned to administrators Huneš, Kopriva | |
| 11.2.12 infokontact\* with client – tel. Huneš | |
| 17.2.12 meeting, date, time, place Huneš  **Madl.** | |
| 18.2.12 konsultation with supervisor | |
| 19.2.12 cthe client called, informed about the time of the meeting, time is marked in the calendar, I told him Kapková | |
| 21.2.12 meeting, date, place, time Kopriva | |
| 28.2.12 *councelling*  Huneš | |
| File -> to the drawer  **Madl.** | |
| 1.3.12 Took the file. returned 2.3.2012 | |
| 5.3.12 Control and archiving Valentová | |
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| \*Infokontact – first informational contact with the client (by phone, or if expressly requested by mail) about becoming administrators of the file and about working together with client | |
|  | |

# Contact with client

**Telephone contact to the Office:** 585 637 7616

**Email for communicating with the client:** mail: *studentskapravniporadna@upol.cz*

login: studentskapp

password: *S\_poradna*

**Basic principles for client communication:**

* Never communicate with client from personal telephone number or mail. You are protecting yourselves, shall the client decide to harass you in the future as a finshed lawyer.
* Act professionally and respectfully with the client (under any circumstances).
* 4 P+ eye contact + active listening
* Learn correctly client’s name and use it every time.
* Wear nametag during the interview with the client.
* Inform the client regularly about progress on the case.
* Go to meetings on time.

|  |
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| **TIP! Do not be afraid to tell NO to the client!**   * When the client would want a legal advice from you on the spot (without possibility of previous consultation with the supervisor), mostly during initial interview. It’s not always easy. For example:   *„And what about your private estimate, miss, do you think I can win this? “*  *„So not to loose your and mine time, what do you think, am I right? I am right, right? “*  *„I know you can’t tell me anything… close one one, what would you say? Yes, or no? “*   * When the client wants an advice how to circumvent the law. * When the client would force a reward on you. Legal advice is free. If they insist on a reward, ask them, to send a thank-you letter to the Office. We will put the letter or the card on display as a token of our gratitude. |

# How to write a legal advice and a final report

Legal advice and final report are two distinct documents, to which the work on the case points. They pursue different objectives and therefore they are different in content and in formal requirements which must be met.

Legal advice is a document designed for the client and should be written in a simple style, with a minimum of technical terms and the excerpts from the texts of law. Legal advice should include a legal analysis of the client’s situation and an outline of all possible solutions with the describtion of respective pros and cons. From the legal advice, should a client-layperson understand what alternative legal solutions are at his disposal but also what are the respective risks to be able to make final decision for himself. Based on the legal advice, the client should be able to take steps himself to solve his situation and to understand them. Choose rather short sentences and always explain all legal.

|  |
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| \* TIP! Our advice to you: formulate your legal advice the way, how you would write it to your grandmother. |

Copied text of the provisions of the Civil Code and the number of a court decision won’t help the client, unless you also lay open their importance and relevance to the particular case. It is very important not to neglect the beginnings of work on the case and get the most information from client. Only if we ask, we can offer clients truly high-quality legal services and detailed analysis. The advice including documents for specific dispute, instructions on how to apply for free legal representation in the proceedings or information on costs - what they are made of, who is required to pay them, or even alternative dispute resolutions.

Many clients ask questions more generally, because they are ashamed to admit inexperience or maybe they are not firmly committed to drastic solutions. It is necessary to push them in order to give you as many detail as possible, lack of detail can potentionally derail even the best legal advice. Discovering the details is important for all the clients - the later you come to the forgotten, though little information, the bigger piece of your own workyou put at the risk of failure. You must be careful not to push the client to a situation, that he must decide on the spot, or to a solution that you yourself consider to be correct. Remember, you are informing the client about his options and he is the one deciding which one to pursue and even non of the options at all.

Remember there are plety of legal advices online and in the weekend newspaper annexes. Your advice should be well-researched advice exactly "tailored" for the client. It would do so much more for you than you would expect.

The legal advice must at all times prior to providing it to the client checked by the supervisor. Even if you do a last time revision, for example by fixing only two grammatical errors, do not turn the blind eye and save yourself insults to the prim formality of Students Law Office ☺.

On the latter mentioned document we place significantly different requirements. Final report will be read by lawyers - supervisors and other students in the SLO. It should be highly professional. Content should be reflected in the chosen style. The level of professionalism of text should be proportional to your level of knowledge, and it is, because of the studied substance, certainly above average. For a lawyer unfamiliar with the details of the case should briefly but sufficiently summarize the facts of the case and identify the sources you used to obtain information to comprehensively explain the solution that you have offered to the client.

|  |
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| \* TIP! Use so called “track changes” when developiong the documents. It would be easier to follow what changes you partner and supervisor did and also to suggest ammendemts. |

For both documents apply without further discussion minimum procedural requirements: classifying the documents, header, greeting, text alignment, breaking down into paragraphs, working with footnotes, signatures of authors.

After drafting a legal advice and a final report, ask yourself these three questions, and if you sincerely satisfied with the answer to all three, SLO is fulfilling its purpose:

|  |
| --- |
| * Would my gradma understand the advice, that I’ve just written? * Am I satisfied with my legal advice and final report as it is now, or I could have done “better”? * What is my takeaway from the case? |

# Notes

# Notes

# Notes

# Notes

**Mark in your calendar**

|  |  |
| --- | --- |
| 27. 2. 2017 | SLO admits new cases |
| 24. 2. 2017 – 26. 2. 2017 | External workshop |
| 26. 4. 2017 | SLO closes for new cases in SS |
| Dates of my Intakes in the Office | |
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| Dates of All-clinic meetings | |
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