

**“It really opened my eyes”: The impact of a social–justice based and family focused, regional Clinical Legal Education program (CLE) in attracting and retaining the next generation of lawyers in regional and rural settings: preliminary findings and further funding considerations.**

## **LCCLC Clinical Legal Education program review (2007 – 2012)**

### **Synopsis**

The following is a review of the experiences and impact of the Rural and Regional Issues in Justice (RRIJ) Clinical Legal Education program from the student’s perspective. The research measured CLE student’s willingness to return to regional and rural areas for employment, the commitment (if any) to engage in pro bono and volunteering opportunities after admission, and the overall benefit and effectiveness of the La Trobe University Bendigo (LTUB) and Loddon Campaspe Community Legal Centre (LCCLC) collaboration in the delivery of the clinical program. There is also a discussion on the need to make recurrent the funding for the Family Focused Clinical legal education program as well as the potential for a properly coordinated and resourced volunteer and Professional Legal Training (PLT) program to add significant capacity to LCCLC – currently demand far outweighs positions able to be offered by LCCLC.

 loddon campaspe  
community legal centre

A program of the Advocacy & Rights Centre Ltd

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The Loddon Campaspe Community Legal Centre is a program of the Advocacy and Rights Centre Ltd

## Introduction

The Loddon Campaspe Community Legal Centre (LCCLC) is a program of the Advocacy and Rights Centre Ltd (ARC). LCCLC provides legal information, advice, advocacy and case work across the Loddon Campaspe region in North-Central Victoria. LCCLC programs and services have numerous funding streams including the Victorian Government (Department of Justice), Commonwealth Government (Attorney-General's Department), the Legal Services Board and the Clayton Utz Foundation. Significant non-financial assistance to LCCLC is also given by Clayton Utz and by the volunteer work of local lawyers, graduate and Professional Legal Training (PLT) student placements, current law students, and administrative support staff.

LCCLC is one of eight community legal centres covering regional Victoria. Loddon Campaspe region covers a large area in North Central Victoria, Australia and includes the following Local Government Areas and major towns: Campaspe (Echuca), Central Goldfields (Maryborough), Greater Bendigo (Bendigo), Loddon (Inglewood, Wedderburn), Macedon Ranges (Kyneton), and Mount Alexander (Castlemaine). The region covers approximately 232 kms north to south and 149 kms east to west- 19,022 sq kms in all. The region is bounded by the Great Dividing Range in the south and the Murray River in the north. It includes the traditional country of the Jaara Jaara, Yorta Yorta and Wurundjeri Indigenous peoples. The region has a population of approximately 210,000.



Current programs and services provided by the LCCLC in the region include:

- Advocacy Health Alliances pilot project
- Clinical Legal Education Program
- Consumer Affairs Victoria legal assistance program
- Family Relationship Centre Legal Assistance Services
- Family Violence Prevention Legal Program (including the ‘Why Didn’t You Ask’ project)
- General Advice/ Referrals/Casework
- Graduate Student Placement and Student Volunteering placements
- Goulburn Valley Community Legal Centre (in the neighboring region)
- Seniors Rights Victoria
- Student Legal Service – BSA La Trobe University Bendigo

There is a mix of recurrent and fixed term funding for these programs – like many Community legal Centre’s (CLC) the provision of the specific programs can be a year by year proposition.

LCCLC also prides itself on taking lead roles in many CLC sector programs and initiatives at state and federal level, particular through the Federation of CLC’s (Victoria) and the National Association of CLC’s.

LCCLC has also developed an international profile through research and attendance at Medical-Legal Partnership conference and subsequent research in the United States (2012) and the attendance and presentation at the International Clinic Legal Education conference at Northumberland University in the United Kingdom (2010). Learning’s and experiences through attendance and participation in these conferences have been incorporated into LCCLC local practice, examples of which include the pilot Advocacy-Health Alliances program and the successful ongoing Clinical Legal Education program in partnership with La Trobe University Bendigo campus (LTUB).

### **Clinical Legal Education Program**

Since LCCLC’s establishment in 2005 law students have supported the delivery of legal services to the community through volunteering within our programs and outreach services. In 2007 LCCLC and LTUB partnered to provide clinical placements for students completing the ***Rural and Regional Issues in Justice (RRIJ)*** elective at the LTUB law school. This has entailed up to 6 students in 2<sup>nd</sup> semester each year doing clinical placements within LCCLC. Students have also been placed with the local office of Victoria Legal Aid, solicitors from private practice and other law related organisations.

The students placed with LCCLC have assisted and gained experience in areas such as the family violence outreach program, Family Relationship Centre advice and community information

services, migration advice services, generalist advice and casework program and Seniors Rights/Older Person's legal clinic. Until 2010 the CLE program had been unfunded.

LCCLC previously committed to a streamlined CLE program without funding due to the organisations' ongoing commitment to providing opportunities for students to experience legal practice and gain practical firsthand experience in the CLC sector. Utilising volunteer student support has also raised the profile of LCCLC within the University and the community at large. In practice this has included having LTUB 1<sup>st</sup> and 2<sup>nd</sup> year level students volunteering at LCCLC's evening and day general advice services, assisting in research and report writing, and attending and supporting the Family Violence outreach services. A large proportion of these volunteer students have gone on to apply for placements in the Clinical Legal Education Program in the 2<sup>nd</sup> semester of each year.

Students have worked on a range of research issues that have benefited the CLC including:

- Legal issues facing Grandparents
- Researching the legal needs of newly settled migrant communities
- Reviewing LCCLC's Hospital Outreach Program
- Exploration of Medical Legal partnership models
- Critiquing the operation of the Bendigo Court
- Analysing Social Demographics

As of 2<sup>nd</sup> semester 2010 LCCLC received Federal Government funding for a Family Focused Clinical Legal Education program. Beginning as one-off funding for the 2010/2011 period the program funding was extended after the 1<sup>st</sup> year for a further 3 years. The funding for the LCCLC program expires at the completion of 2<sup>nd</sup> semester 2013.

As the current funding for the Family focused CLE program is due to expire it is timely to reflect on the success of the clinic program to date, reflecting upon the stated aims and aspirations in the original funding application. After 6 years of offering the CLE externship placements in partnership with LTUB, LCCLC is now ideally placed to begin to investigate the medium term impact of the CLE program.

### **Research methodology**

A survey was distributed to previous Rural and Regional Issues in Justice (RRIJ) clinic students who had primarily completed their placements at LCCLC or had volunteered at LCCLC at some stage during their studies and had completed a RRIJ placement at another Bendigo site. 21 invitations to participate were sent out to former and current students, of which 16 responses were received - a response rate of 76%.

## **Aims of the Family Focused Clinical Legal Education Project – 2010**

The aims and objectives of the CLE project that formed the basis of the original funding submission can be summarised as follows:

### **Benefits of the project**

#### **Community**

*The Law Council is concerned that ongoing problems in recruiting and retaining legal practitioners in country Australia is negatively impacting on the ability of people in rural, regional and remote (RRR) areas to access legal services. The Council has found that 'evidence suggests lawyers in regional areas are experiencing increasing difficulties in attracting and retaining suitable staff. These recruitment problems have a direct effect on the legal sector's ability to service the legal needs of regional communities.'*<sup>1</sup>

*This project will increase the quantity and quality of services in family related legal matters for people with significant legal needs in rural and regional Victoria.*

#### **Students**

- *allow rural and regional law students studying in Bendigo Victoria the opportunity to work with local practitioners, assist local communities and gain practical experience in an important area of law.*
- *gain experience in a regional setting, encouraging them to return to work in regional/rural areas after graduation.*
- *gain experience in legal aid work which will encourage them to work in this area in the future*

#### **Community legal centre and other agencies**

- *increase the capacity of regional organisations in central Victoria to assist their clients.*
- *bring into the services, intelligent and motivated students who will gain an understanding of clients' needs through assisting in the provision of these services.*

#### **Regional University**

- *assist a regional University Law School to become involved with the local community allowing students to engage with clients and professional staff in the local area.*
- *encourage future rural and regional students to choose study opportunities in their local areas and prevent the city "brain drain".*
- *Clinical opportunities that are generally only open to city students will be a reality in this regional area.*

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<sup>1</sup> Law Council Rural, Regional and Remote Areas Lawyers  
<http://www.lawcouncil.asn.au/initiatives/rrr.cfm> at 20 October 2009

The above *'benefits of the project'* became the foundation for the questions asked of former students through the survey. As will be evident in the survey results the aims of the project can be seen to have been met and indeed exceeded the expectations of the project.

## **CLE Research and Findings**

### **Survey process**

LCCLC sent out an invitation to 21 former LCCLC students and/or volunteers who had completed the Rural and Regional Issues in Justice (RRIJ) CLE course. All students had some prior experience with LCCLC and were contacted through details provided to LCCLC previously. Through the period of 2007 and 2012 at least 30 students have completed a clinic placement at LCCLC – the overall number of students participating in the RRIJ elective exceeds 50.

An online survey was created through the Survey Monkey program and was accessible to students for a 2 week period; 16 complete responses were received during this time. 11 of the respondents' completed a placement at LCCLC, 2 were placed with Victoria Legal Aid (Bendigo office) and 3 were placed with private firms in Bendigo.

Of the 16 students surveyed 2 students moved from Melbourne metro/ suburban areas to undertake their studies in Bendigo, 6 students were from the Bendigo region and 8 were from other regional/ rural Victoria locations. Implicit within these results is the attractiveness of studying law in a regional centre such as Bendigo for regional/ rural students.

15 of the students indicated they intended to practice law upon graduation and 1 student was no longer studying law.

### **Encouraging Students to practice law in Regional and Rural settings**

There has long been a perception amongst regional practitioners and the law school that young graduates are unlikely to be interested in practicing in regional and rural areas due to the greater attraction of metropolitan law firms and lifestyle. Offering clinic experiences to students early in their law degree (predominantly 2<sup>nd</sup> year) has been a way to begin to challenge students thinking around moving to Melbourne being the only viable/ attractive career choice; that legal practice in rural and regional areas has much to offer in experiences and client work that metro practices are unable to match. The following responses indicate a high measure of success in achieving this aim.

- *RRJ gave me wonderful insight into regional practice that definitely influenced my thoughts about future employment while I was at University. The work experience I gained from RRJ undoubtedly assisting me in obtaining internships at local firms, one of which took me on as a Trainee when I finished my studies. The clinical experience through RRJ also helped me to*

*understand that I wanted to be a lawyer who worked closely with clients (rather than corporate work)*

- *The RRJ clinic experience has made me want to work within a regional area and to also dedicate time to volunteering within a legal centre or do pro bono work. The experience opened my eyes to how valuable such services are to people who cannot generally access such services.*
- *It confirmed my desire to practice in a regional area as opposed to moving to the metropolitan area for work. Country firms engage far more closely with clients, having more client-focused mindset.*
- *I think RRJ re-inspired my career aspirations. It reminded me why I first wanted to be a lawyer. It has made me more dedicated to social justice initiatives and has really consolidated for me that I want to stay in the country and practice.*

At the time of the survey (May 213) 4 of the surveyed respondents were employed as legal trainees or are admitted to practice. Of these students 2 were employed in rural/ regional areas and 2 were employed in Melbourne metro / suburban practices. It is expected that follow up research in several years time is likely to indicate a similar proportion for future employment. 60% of respondents indicated they see themselves working in regional/ rural areas in 5 years time, 40% indicated they see themselves working in Melbourne metro/ suburban areas.

Subsequent to the survey monkey questionnaire LCCLC has been made aware by the Bendigo law Association's young lawyer's representative that there are currently 8 -10 local lawyers/ trainees who studied at LTUB now working in the Bendigo region.

### **Increasing Capacity of CLC's through volunteering and Pro Bono opportunities**

Of the 16 students surveyed the overwhelming response was a strong commitment to volunteering and/ or offering pro bono assistance when admitted to practice - particularly to the Community Legal Centre (CLC) sector. The sole respondent who indicated they were not likely to volunteer has changed their field of study. The type of emphatic support and passion for volunteering is evident in these comments from students:

- *Definitely. I saw how such a little commitment of time produced valuable results not only for the client but for the centre. I would be more than willing to volunteer my time and/or be involved in the running of the centre/s in the future.*
- *I would say that volunteer and pro bono assistance is an essential extension of a practitioner's role. I can't imagine not volunteering in the future.*

- *Often people who are in trouble with the law are people who are disadvantaged in one way or another, then they are further disadvantaged when it comes to court because they can't afford or have access to adequate representation. There isn't enough support in rural areas for these clients, and funding continues to be cut in this vital area of public service. There also isn't enough support for the lawyers who are dedicated to providing these services. It really brought home the fact that everybody is entitled to the best representation but that doesn't necessarily mean that they get it, that needs to change and that is why I would be willing to volunteer.*
- *I think the CLC model is innovative and CLCs do great work for the disadvantaged sectors of our community. So I think volunteering at a CLC would be the best way for me to give back to the community by assisting people who often slip through the cracks of other legal assistance services*

Many of the students have seen 1<sup>st</sup> hand that the demand for legal assistance far out ways the funding and services available to clients presenting with legal issues. The students also start to develop the skills and strategies' to adopt when they're admitted to practice, be it through appropriate referrals to existing legal advocacy services, linking clients to existing pro bono resources, or exploring their own capacity for assisting. LCCLC currently has 3 former student volunteers/ RRIJ students who have returned to work locally and are now volunteering as lawyers on our evening advice service roster - an excellent example of the commitment to ongoing volunteering reflected in the student's feedback.

### **Value of RRIJ CLE Course**

RRIJ students have clearly identified the value of their clinic placements, be it through greater understanding of rural/regional issues, experience of what it is to be a lawyer, insight into the variety of work and experiences available in regional/ rural practice, and importantly an opportunity to begin to reflect on the actual practice of law and the type of lawyer they aspire to be.

- *My experiences from the RRIJ course were invaluable. There is nothing like a bit of real life practice to make you think about where your studies are heading and whether you actually want to practice once you finish your law degree. I am very very glad that I was able to take part in the RRIJ placement subject. I have no doubt that having this experience on my resume separates me from the pack when it comes to post-graduation job opportunities. Being able to work with and meet many local lawyers was also an invaluable networking opportunity.*
- *I believe the success of the program can really be attributed to the mentors. Their patience and dedication to students was so encouraging from a student perspective to see that your*

*help is truly valued and that the mentors were really mentors and willing to help at every possible opportunity.*

- *It was a fantastic subject and a unique insight into regional justice which students would not otherwise have. It encouraged many students to return to Bendigo or surrounding areas to practice as it demonstrated just how much is possible in regional areas and gave an insight into the kind of career you could have.*
- *I cannot recommend a clinical placement highly enough. The great thing about the RRIJ subject is that most students undertake the subject in their second year. This a great time to be exposed to "real world" practice as it instills an understanding of legal process and gives the student the opportunity to be exposed to the legal environment and decide if legal practice is an appropriate career path for them. It is also a great way to contextually reflect upon the legal principles imparted by their university studies.*
- *The placement enabled me to see the problem facing rural legal centers', as well as clients in rural areas seeking legal advice and advocacy. It gave me my first taste of employment in a legal context and allowed me to make a more informed decision on my future employment opportunities in a regional setting.*
- *Even now when I meet students at Latrobe Bendigo I encourage them to sign up for this course. It gave me great insight regional practice, CLC practice and pushed me to expand how I thought about issues of social justice and access to justice. This course was an invaluable experience in helping me to decide what type of lawyer I wanted to be and in encouraging me to return to Regional Victoria to work.*

### **Summary of value and impact of RRIJ clinic program.**

The survey results clearly articulate the success of the CLE program in the eyes of the students. All students have reflected and commented positively about their clinic experiences, 62.5% of respondents stated the program exceeded their expectations, 37.5% stated their expectations were met.

To focus solely on students reflections as indicative of the success of the program misses other important aspects of the original Family Focused CLE funding grant. The student placements have in many instances increased the efficiency and capacity in the provision of the LCCLC services, in particular the family violence court outreach services. Students participating in the court outreach become a valuable extension of the legal team, serving as essential point of contact for clients in regional/ rural court environments. Often there is no court security, or safe spaces for victims of family violence to be kept separate from perpetrators; students often play an essential role in maintaining safety and support for clients while the practitioners are engaged

in taking instructions and representing the other clients in this duty service environment. The student's absence is often strongly felt by the practitioners when their placement period concludes.

The funding of the CLE program has played an essential role in creating resources and opportunities for the further professional development of LCCLC supervisors and mentors. The CLE best practices models are incorporated into every aspect of the clinic placements, including appropriate assessment and reflective practice opportunities geared towards maximising the learning for each student during their placement. Each supervisor's case load is adjusted during the CLE period to ensure appropriate time and energy is directed toward the student experience; the clinic placement is not a 'shadow me' type environment, rather the student is expected to be actively involved with the clients and case work. Without appropriate funding this model of CLE is unsustainable and LCCLC would be unable to continue to offer CLE placements.

The RRIJ subject has created the space for LTUB to build stronger networks and relationships within the local legal profession and legal service providers. The RRIJ program is one of the few clinic electives to include private practice, Victoria Legal Aid, CLC and government agencies as potential placement sites. Through the lectures and reflective journals the students collectively develop a strong understanding and insight into the activities and differences between the legal services and agencies other than their own placement site. The range and number of placement sites have developed, expanded and evolved over the duration of the funding period. LCCLC is still the principal placement site for students – up to 50% of RRIJ students are currently placed with LCCLC. If LCCLC is unable to continue offering placements LTUB have indicated they may need to reconsider whether the RRIJ subject is still offered.

On every measure it can be seen that the objectives of the Family Focused CLE program have been met, and indeed exceeded. The student's reflections on willingness to consider regional/rural practice as a desirable career path as well as a commitment to volunteering appear to be coming to fruition, given the current junior lawyers returning to the region to practice. Follow up longitudinal research is being contemplated by LTUB and LCCLC so as to accurately measure what appears to be taking place. Ongoing funding will allow this to research to continue.

### **Coordination of Volunteer and Professional Legal Training (PLT) student placements**

#### **Volunteers**

LCCLC relies heavily on volunteer support and assistance in the provision of many of our services. It has long been acknowledged internally that our volunteers and PLT student placements are an underutilised resource within LCCLC, and that a properly resourced and coordinated volunteer program has the potential to add real and measurable capacity to service provision and casework.

LCCLC's weekly evening advice service is the only current program maximising volunteer resources. The evening service has a roster of 24 volunteer solicitors (5 of whom studied at LTUB and have returned to practice locally). The evening service also has 4 student volunteers and 2 volunteer administrative workers. Each advice service is coordinated/ supervised by a LCCLC lawyer.

During the day services there are currently 6 students involved in various tasks and files on an 'as required' basis. The value of these students is often a fine balance between their experience and ability to work independently versus less skills and the need for intensive and close supervision. An excellent student volunteer is of real value. A less competent student volunteer will often be time intensive with no overall benefit to the organisation.

Currently the requests for student volunteer placements far outweigh the opportunities offered. By way of example there have been at least 10 requests for volunteering opportunities this year, only 2 new places were offered. Of the 10 current student volunteers 7 students have been assisting at our service for at least 12 months, 2 students are now in their 3<sup>rd</sup> year of volunteering.

### **Professional Legal Training (PLT) / Graduate student placements**

LCCLC regularly receives placement requests from PLT and Graduate students. Placement periods sought vary from 25 – 75 days and are often the final requirement before a graduate can apply for admission to practice. Requests are either direct approaches to the service or via the Rural regional and Remote PLT program (see: <https://placemens.naalc.org.au> ). The obligation is on the graduates to find their own practical placement sites, notwithstanding the Universities and training providers charging fees for the provision of the graduate course. Centre's such as LCCLC receive no funding or incentive to provide these placement opportunities – it appears to be an expectation that CLC's will just do so. Any discussions with these training providers around appropriate funding to accompany these graduates are consistently dismissed.

LCCLC generally accepts PLT graduates from the RRR program as the intention of these placements is to promote RRR practice and employment opportunities to graduates. Currently the CLE commitments are given priority over PLT placements – mainly due to the coordination and intensive supervision required during the CLE program.

Again it is acknowledged internally that the PLT placements have the potential to add capacity to service provision if coordination and supervision is properly funded/ resourced. In 2013 LCCLC has received 11 PLT placements - 2 placements were offered / 1 is currently under consideration. There is a mix of direct requests and referrals through RRR PLT program – there were 7 RRR referrals this year compared to 4 direct requests – however this proportion fluctuates from year to year. LCCLC also refers appropriate placement request to Goulburn Valley CLC office.

### **Conclusion**

With appropriate coordination and supervision the student volunteers and PLT/ Graduates offer a cost effective means of increasing capacity for LCCLC case work and outreach programs. In order to be effective any coordination must include interview and inductions, preparation of work plans and tasks commensurate with the expertise and skills of the volunteers/ graduates, appropriate supervision and follow up with each volunteer/ graduate around progress and further development and appropriate management of reporting requirements (particular in respect of PLT/ Graduate placements). The current lack of time and resources available to commit to the level of detail required can often work as a disincentive for LCCLC to take on any extra volunteers or graduates over and above existing commitments, or to consider further opportunities to expand student involvement within the practice. Appropriate funding specific to volunteer and PLT/ graduate coordination and supervision will allow LCCLC to maximise the involvement of volunteers in everyday practice, whilst also increasing opportunities for PLT / graduates to complete their practical requirements for admission o practice. The flow on benefits include strengthening resolve to further volunteering when admitted to practice as well as the promotion of RRR legal practice as a genuine career choice. The promotion of RRR has already been seen to be an effective means of addressing regional legal practices attracting and retaining the next generation of lawyers within the community.

## **Recommendations**

- **The Family Focussed Clinic Legal Education program funding be made recurrent, subject to the continuation of the RRIJ (or its equivalent) elective being offered by La Trobe University Bendigo campus**
- **That a 1 day per week Volunteer and PLT/Graduate coordination position be funded recurrently for the purpose of maximising the capacity for LCCLC to utilise this resource in the provision of legal services, whilst also promoting RRR practice to future junior practitioners.**