Reimagining Legal Education

Incorporating Live-Client Work into the First-Year Curriculum

By Nancy Vettorello and Beth Hirschfelder Wilensky

Two female first-year students showed up in one of our offices seeking advice. As part of the live-client work we assign our first-year students at the University of Michigan Law School, they were paired to assist a client of the Michigan Immigrant Rights Center with his naturalization application. While they were interviewing him, the client made several sexist remarks that left the students unsure about whether to respond and confused about how to continue representing him. Later that semester, another pair of students sought advice about a client they were helping appeal the denial of his unemployment benefits. They suspected that the client was with-
Integrate smoothly into the already-packed curriculum, and are sustainable over time.

Benefits of incorporating live-client work

All of these experiences require students to anticipate potentially uncomfortable conversations about a client’s background. The naturalization application, for example, contains detailed questions about criminal history and participation in controversial political organizations in other countries. Students also learn some ins and outs of managing a law office, such as keeping organized records and memorializing every action in the client’s file. They learn the frustration of scheduling, the trickiness of directing conversation with a chatty client to relevant facts, and the difficulty of giving clients disappointing news.

To prepare our students for their client work, we provide training in partnership with staff attorneys from legal services organizations on both the substantive law and skills like client interviewing and counseling. Then we integrate the client work into our syllabi in ways that complement the Legal Practice curriculum. For example, students write a file memo about their client representation. We provide feedback on their memos, which enables us to reinforce universal writing considerations like organization, audience, and purpose. We also assign a separate research memorandum that dovetails with the work of the organization from which the students get their clients. That assignment lets students bring together their research, analysis, and writing skills in a way that anticipates legal questions that might arise in their client representation. It also exposes students to the variety of activities that a lawyer might engage in—from analyzing complex legal questions in rapidly changing areas that affect many clients to providing direct representation in a relatively straightforward client matter.

Involving first-year students in live-client work has another important benefit: it keeps students engaged in their education at a time when many start to feel disconnected from their reasons for attending law school. Before we integrated live-client work into the first-year curriculum, the law school had observed that more than two-thirds of our 1L students sought out volunteer opportunities that permitted them to practice the skills they were learning in class, often through activities that allowed them to interview and interact with clients. Our students, like many of their generation, want to learn by doing.

By making live-client work part of the curriculum, we respond to our students’ motivation to serve the community while connecting their work to the curriculum. Not surprisingly, our students report that working with clients is one of their favorite parts of the first-year curriculum. They take their preparation seriously because they know that real people with real legal problems are depending on them. They draw connections between their client work and legal doctrines they are studying in their core classes. Students report that the live-client work gives them confidence going into their summer work and into the interview process that greets them at the beginning of their 2L year. For some students, early exposure to client work helps them identify classes to take in their second and third years—especially because many find they have a thirst for clinical work once they are exposed to it.

What’s next: studying the effectiveness of incorporating live-client work into the 1L year

The law school’s effort to integrate live-client work into the first-year curriculum is in the experimental phase. Next year, more than half of the Legal Practice professors will include live-client work in their classes. Working with the university’s School of Education, we are also studying the effect of the program on student engagement, satisfaction, preparedness for practice, and more. We look forward to keeping the Michigan legal community informed of our progress.

And those two female students who sought advice on how to handle a client who made sexist remarks? In light of the client’s upcoming naturalization interview, they realized that their professional responsibility obligated them to gently explain why his comments were inappropriate—and could even undermine the success of his interview. They also learned that they could separate their feelings about their client’s comments from their professional responsibility. In other words, as 1Ls, they took a significant step in developing their professional identities as lawyers.

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