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INCREASING EMPLOYABILITY OF LAW GRADUATES BY INTRODUCING LIVE-CLIENT CLINICS: THE EXPERIENCE OF LAW CLINIC ZAGREB

A. INTRODUCTION

The first Croatian Legal Aid Act of 2008³ introduced legal aid clinics as primary legal aid providers, alongside with administrative offices and non-governmental organizations (Art. 14 CLAA/08).⁴ This facilitated the establishment of the first live-client law clinic in Croatia at the Faculty of Law, University of Zagreb in 2010 (hereinafter: the Law Clinic).⁵ Its example was later followed by the other Croatian law faculties (in Osijek, Split and Rijeka).⁶ At present, most of legal aid clinics in Croatia follow the Zagreb model to a large extent. In the following text, the main features of this model will be briefly described.

The Law Clinic is an official part of law school academic curriculum. It is a semi-mandatory course in the fifth year.⁷ Students who stay in the clinic for one semester and perform all the required tasks, acquire 10 ECTS points, which is equivalent to one third of all points awarded in the ninth semester. However, since the Law Clinic does not only have an educational purpose, the students enrolled in different study years (second, third, and fourth) are

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³ Official Gazette, no. 62/2008 (hereinafter: CLAA/08).

⁴ The same rule was later reenforced by the new Legal Aid Act (Official Gazette, 143/13, 98/19; hereinafter: CLAA/13).

⁵ Much of the history and the concept can be seen on its official website (<http://klinika.pravo.hr>).

⁶ See official webpages of the legal aid clinics in Osijek (<https://klinika.pravos.unios.hr/>), Split (<http://pravnaklinika.unist.hr/>) and Rijeka (<https://pravri.uniri.hr/hr/o-fakultetu/centri/153-hr/o-fakultetu/centri/1968-pravna-klinika.html>).

⁷ It is semi-mandatory because the students can also choose moot courts or internships instead of law clinics to obtain those same 10 ECTS points.

encouraged to join the Clinic already earlier, so that they can stay longer and volunteer for one or more semesters. Almost half of them choose to do it, and continue to volunteer after completion of their curricular duties in the Clinic.

Students are organized in groups that specialize for certain type of issues. The groups have from 12 to 16 members, but each group is divided into two subgroups. The focus of particular groups is on specific types of vulnerable clients (asylum seekers, children, indebted citizens, patients, victims of crime, victims of discrimination, and workers). However, in addition to special matters of their interest, each group also receives other cases, regardless of the legal field or type of client, if this is needed to secure even distribution of work and efficient processing. In such a way the Law Clinic simultaneously tries to achieve several goals: on the one side, it teaches students to apply their knowledge and acquire legal skills necessary for the labor market, and on the other side, it encourages their social sensitivity, and active dealing with the issues and problems encountered by vulnerable population.

In the Clinic, teamwork is encouraged and promoted. Initially, one or two students prepare the case and produce their draft assessment, but before it is approved, each student in the clinical group is expected to comment on the draft. Under applicable legislation, the Clinic is authorized to provide legal advice in the form of written legal opinions or general legal information (so-called *primary* legal aid).⁸ It is not allowed to provide other forms of legal aid, such as representation in court proceedings.

Limited scope of legal aid showed to be beneficial for the work of the Clinic. It enabled the Law Clinic to abandon strict hierarchical models, typical for law offices in the region, and to embrace the model of self-running student clinic similar to best clinical practices from Norway.⁹ Students provide legal assistance to clients on their own, subject to internal quality control through case-processing protocols and group discussions. Student mentors, chosen among the ‘older’ clinicians who were working in the Clinic for at least two semesters, supervise and approve legal assistance provided in the form of general legal information. When written legal opinions are issued, prior to their release they are sent to academic and external mentors (lawyers with required

⁸ Former Art. 14 CLAA/08; Arts. 6 and 9 CLAA/13.

⁹ See *JussBuss Oslo* (<https://foreninger.uio.no/jussbuss/english/>).

experience and law degree) for further supervision and review. Academic mentors are chosen among the law school teachers who volunteered to assist the Clinic; external mentors are mainly former clinicians, younger attorneys or other lawyers who expressed their willingness to participate in the quality control mechanisms of the Clinic on pro bono basis.

The rest of clinical activities are carried out autonomously by students, with limited or no interference of academic staff. Current clinicians decide on their own on the enrollment of new colleagues and their placement in specific clinical groups. Most of training activities for new students are carried out by student mentors. Clinicians interview the clients, decide whether to take on the case or not, and generally supervise and administer the work of the Clinic and deal with case management and statistical monitoring. Since some of those activities require close coordination and continuing work, four student administrators oversee the everyday activities in the Law Clinic.¹⁰ Providing legal aid in ongoing cases is only a part of clinical activities, as students also engage in interaction with the community by outreach, street-law, and other projects. A lot of these activities are undertaken in partnership with the partner non-governmental organizations and local municipalities.¹¹

After twelve years, our experience showed that the chosen clinical concept was a success. The Law Clinic Zagreb provided legal services to around 15.000 clients. According to data from the clinical database, more than a third of them are coming back for another advice, thus proving their satisfaction with the provided services.¹² From the establishment of the Clinic in 2010, more than 1.200 students and more than 100 academic and external mentors have been involved in its activities.¹³ The number of clinicians who work in the Clinic

¹⁰ Those are the only students that receive a symbolic remuneration for their activities. Other students are volunteers exclusively.

¹¹ Their activities are described in a separate chapter within this guidebook (see Aras Kramar/Preložnjak).

¹² The statistics are available in the special CMS-based database (so-called *Klinikarij*). It was also created by students in 2012.

¹³ At the beginning very few lawyers and other legal practitioners were eager to engage in supervision of clinical work, so most of the supervision was done by young teaching assistants and assistant professors. As the years went by and more and more students were engaged in the work of the Law Clinic, practitioners started to appreciate the role of the Law Clinic within the society. Now there are more external than academic mentors, which can probably be attributed

was stable over recent years, about 100 students per semester. But, until recently, there was no systematic study of student satisfaction with their clinical experience, and the correlation of that experience with their future employment: whether working in the Clinic positively affects the employability and performance of former clinicians at their future workplace. To fill in that gap, we decided to conduct a survey among the clinical alumni and submit it to objective analysis. This paper presents the results of the empirical research conducted in 2020-2021 period.¹⁴ It is our hope that the positive results presented *infra* will inspire and encourage all those interested in the establishment of similar clinical programs in the region.

B. EMPIRICAL RESEARCH

I. Goals and methodology

The aim of the research was to assess to which extent clinical education at the Law Clinic:

- expanded the understanding and knowledge of rules and practices usually acquired within the study of mandatory legal subjects,
- facilitated the development of general and specific legal skills of students, and
- reflected on their position on the labor market after graduation.

An additional goal was to investigate the students' perception of the position the clinical program should have within the law school curriculum.

At the time when the survey was conducted, total of 879 students had been engaged in the work of the Law Clinic, of which at least 552 had graduated. The online survey, consisting of twenty questions, was sent to 500 respondents, selected in *MS Excel* by random selection (RAND function). The

to the fact that many clinical alumni wish to continue their clinical work after they graduate, thus sacrificing their leisure time for greater good.

¹⁴ The research was conducted jointly with a former student administrator – Ema Basioli, and published within the paper A. Uzelac, J. Brozović, E. Basioli, *Utjecaj prakse u Pravnoj klinici Pravnoga fakulteta u Zagrebu na zaposlenje nakon završetka studija*, in: L. Belanić, D. Dobrić Jambrović (eds.), *Zbornik koautorskih radova nastavnika i studenata sa znanstvene konferencije Unaprjeđenje kvalitete studiranja na pravnim fakultetima u Hrvatskoj*, 2021. pp. 69-89. This paper shows summary of the most important findings relevant for the partners within the ENEMLOS project.

surveyed participants had one month to fill in the questionnaire. Total of 238 participants responded to the call. The response rate was thus 47.6%, which was sufficient for representativeness of the sample, making the margin of error less than 5 % ($p < 0.05$).

After a set of general questions defining the general characteristics of the sample, all other questions in the survey were of closed type with pre-set answers showing the level of agreement with each statement (1 – totally disagree, 2 – partially disagree, 3 – neither agree nor disagree, 4 – partially agree, and 5 – totally agree). Therefore, Likert scale was used as it is typical for social sciences.¹⁵ This method enabled us to evaluate twelve hypotheses:

1. The experience in the Law Clinic helped respondents to understand the functioning of legal rules in practice and to apply the knowledge acquired during the study.
2. Experience in the Law Clinic assisted the respondents in mastering the subjects which they had not encountered before joining the Law Clinic.
3. Volunteering at the Law Clinic distracted the respondents from passing exams and fulfilling other student duties.
4. The experience in the Law Clinic helped the respondents in the employment, i.e. the employer takes into account and appreciates their clinical experience.
5. Experience in the Law Clinic helps the respondents in everyday work and performing daily tasks within the current position.
6. In the Law Clinic, respondents acquired the communication and social skills necessary for working with clients that still benefit them today.
7. In the Law Clinic, respondents acquired the structured legal writing skills.
8. The Law clinic contributed to the respondents' understanding of ethical values in the relationship between clients and representatives.
9. In general, the Faculty of Law, University of Zagreb should put more emphasis on learning through practice, instead of classical lectures.
10. It is important that students achieve additional goals during student training, such as helping vulnerable groups of citizens.

¹⁵ J. T. Croasmun, L. Ostrom, *Using Likert-Type Scales in the Social Sciences*, J Adult Educ 40(1), 2011.

11. The clinical practice should be mandatory for all students.
12. Volunteering at the Law Clinic is something to recommend to younger colleagues.

II. Results

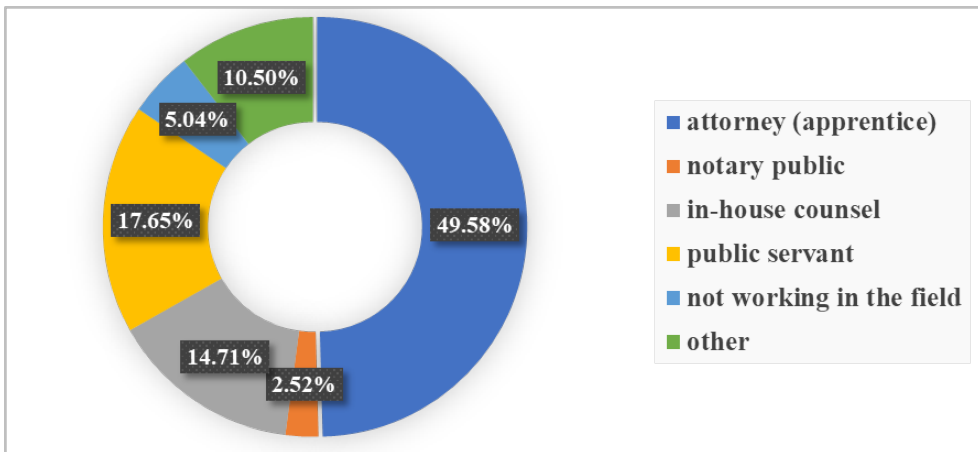
1. The general characteristics of the sample

The first part of the survey assessed the general characteristics of respondents, inquiring about their gender, age, employment duration, number of previous employments, as well as their current position/occupation. In order to see how devoted they were to the clinical idea, the respondents were also asked about the number of semesters engaged in the work of the Law Clinic, the year of study in which they joined it, and their level of activity.

In line with the general trend at Faculty of Law, most of the respondents were female (71%), as opposed to smaller number of their male colleagues (29%). When their age is concerned, they mostly belonged to the age group from 28 to 30 years (40.76%), but almost one third of them (28.99%) was between 25 and 27, and the same number of them (28.57%) was 31 or older. Only several respondents (1,69%) were 24 or younger.

Since we are not aware of any statistics observing the employment of law graduates, it was useful to discover in the general part of the survey that the relative majority of respondents had been employed from one to two years (27.31%), or in a slightly smaller percentage from two to three years (26.05%). A considerable number of respondents had worked from four to five years (19.33%) while only 14,71% had worked for less than a year and 12,61% had worked for more than five years. Since more than half of respondents had worked for three years or less, one would not expect too many changes of employers. It would, however, seem that only 40.34% of respondents had not changed their job, while relative majority changed it workplace at least once (43.70%). Approximately same number of respondents changed their job twice (7.14%) and three times (6.72%). Only 2.1% of respondents changed their jobs five or more times. Although one cannot draw definitive conclusions from these findings, it seems to indicate the labor market in the legal field had been rather fluid.

Almost half of respondents were employed as an attorney or apprentice (49.58%). The other half identified either as the public servants (17.65%), in-house counsels (14.71%), or public notary apprentices (2.52%). Interestingly, some of them worked outside the profession (5.04%) and some could not find themselves in any category (10.50%). One can only speculate whether the considerable fluidity of the labor market indicated above is correlated to the fact that most of law graduates worked in law offices as attorneys or their apprentices (see *Graph 1*).



Graph 1 – Current position/occupation

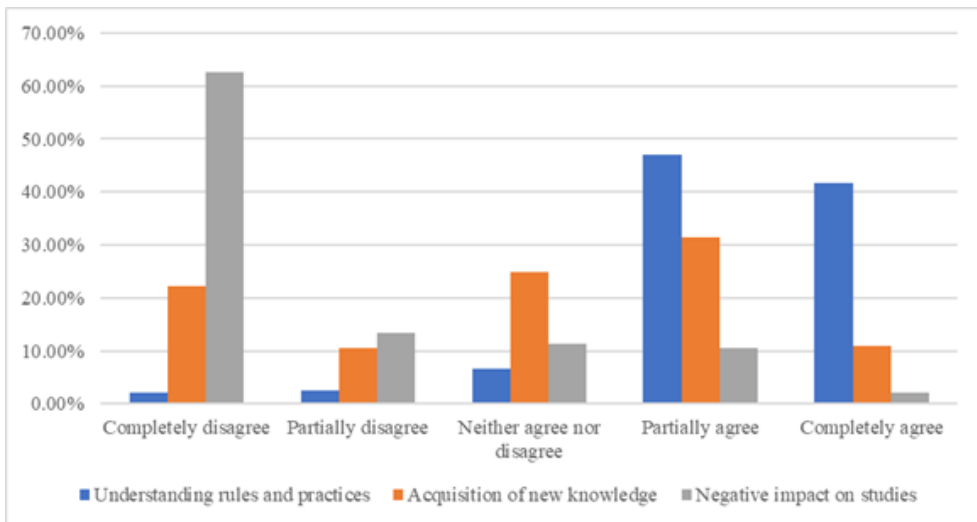
In observing their clinical experience, it would seem less than one third of respondents stayed in the Law Clinic only one semester (30.25%), while the relative majority stayed two semesters (42.02%). A considerable number of respondents volunteered three semesters (15.55%). Several of them stayed four semesters (9.66%), but the clear minority stayed there for five or more semesters (2.52%). These results seem to be in line with the finding that almost half of respondents joined the Law Clinic in their fourth year of study (47.48%) and almost a third in their third year (28.75%). Only 22.27% of respondents joined the Law Clinic in their fifth year when the Clinic is officially scheduled as an option to fulfill their practical teaching course requirement. Only 1.68% of respondents joined the Clinic in the second year and – as expected – none joined in their freshmen year. A total of 33.61% of respondents indicated that they had performed special student duties in the Law Clinic, either as student mentors, student administrators, members of the PR team, or members of the editorial board of the *Pro bono* newsletter. This confirmed the relevance of our

sample, as it reflected the usual ratio of more ambitious and average students in the Law Clinic.

2. Student evaluation of the clinical experience

The second part of the survey investigated the correlation between the clinical experience and the success of students in their study on one hand and employment on other hand. The final part sought to explore the position that the clinical legal education might have within the general curriculum.

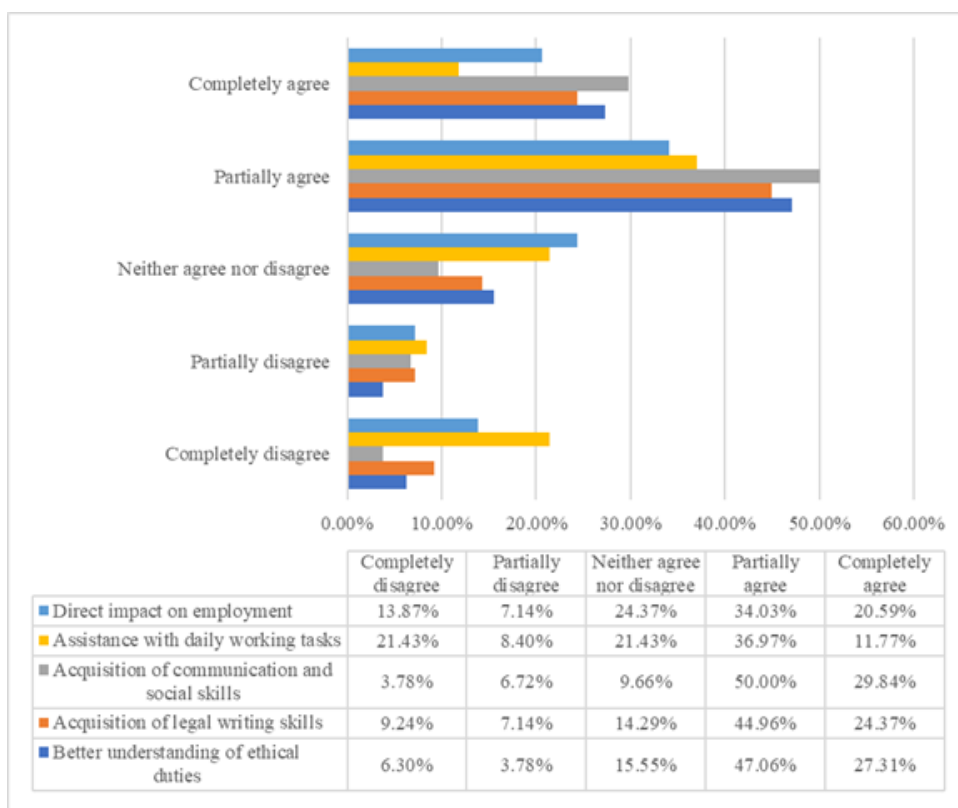
Evaluating the impact of clinical practice on their study of law, total of 47.06% of respondents partially and 41.60% fully agreed that their experience in the Law Clinic helped them to understand the functioning of specific legal rules and practices taught to them in mandatory courses of their study. Furthermore, 42.44% of former law students at least partially agreed that their clinical experience helped them in acquiring new knowledge. At the same time, as many as 62.61% of respondents disagreed at all that their clinical experience had a negative effect on taking exams and fulfilling other student duties (see *Graph 2*). The respondents thus confirmed that the goals of our clinical program had been met and, more importantly, that their fulfilling had not represented a hindrance in the successful completion of the studies.



Graph 2 – Impact on the studies

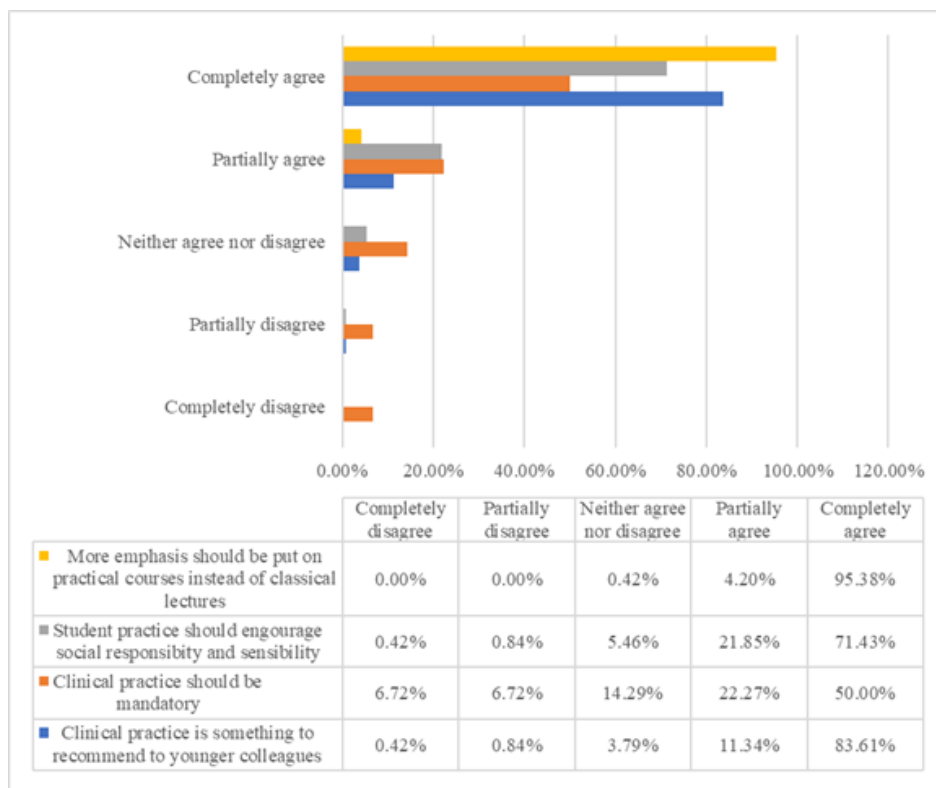
Turning to the impact of clinical experience on employment, only 21.01% of respondents completely or partially disagreed that the Law Clinic had

not helped them with their employment, i.e. that the employer did not take into account and appreciate such volunteering experience, while more than half of them at least partially agreed with this statement (54.62%). Within the current workplace, almost half of respondents (48.74%) at least partially agreed that the clinical experience helped them in their performance of daily tasks. When it comes to the acquisition of legal skills, the vast majority of respondents at least partially agreed that the Law Clinic assisted them in acquiring necessary communication and social skills required for future employment (79.84%). Similar number of respondents at least partially agreed that the clinical experience helped them to develop practical writing skills (69.23%) and to better understand ethical duties in lawyer-client relationship (74.37%). It would seem we thus confirmed, at least in the eyes of clinical alumni, that the Law Clinic often directly, and in any case at least indirectly, affects the employment of law graduates (see *Graph 3*).



Graph 3 – Impact on employment

Their satisfaction is perhaps clearer in their answers to the last series of questions. Almost all respondents (95.38%) completely agree that the Faculty of Law, University of Zagreb should put more emphasis on learning through practice instead of classical lectures, whereas no respondents completely or partially disagreed with that statement. Furthermore, again, the vast majority of respondents (71.43%) at least partially agreed that it is important that the practical learning achieves additional goals, aside from educational ones, such as helping vulnerable groups in the society. This confirmed that the students internalized the founding ideas of our Law Clinic. When it comes to their direct assessment of the position the clinical practice should have within the curriculum, half of the respondents (50.00%) completely agreed that clinical practice should be mandatory for all students and additional 22.27% of respondents partially agreed with that statement. It is thus not surprising to note that as many as 83.61% of respondents confirmed they would recommend clinical practice to their younger colleagues (see *Graph 4*).



Graph 4 – Position of the Law Clinic within curriculum

C. CONCLUDING REMARKS AND A WORD OF ENCOURAGEMENT

The respondents in our survey confirmed the usefulness of live-client clinics and the success of clinical model established at the Faculty of Law, University of Zagreb. Specifically, we can conclude that the knowledge and skills acquired at the Law Clinic helped our students not only in their studies, but later in their career and their first employment as well. More importantly, they became better lawyers who better understand their social role and responsibility. Or, to summarize the findings again, our research results in respect to clinical experience at Zagreb University are that former student-clinicians:

- appreciate the skills and knowledge acquired in the Law Clinic;
- express opinion that clinical practice helped them to understand theoretical subjects;
- think that clinical practice did not have any negative impact on fulfillment of other student obligations;
- consider that clinical experience has positive impact on their employment;
- find that the acquired skills and knowledge help them to perform better in their current job; and
- support and recommend the Law Clinic and plead for extension of practical learning in the law school curriculum.

What are the messages for future clinical programs which already have been or are expected to be developed within the ENEMLOS project?

It is not difficult to conclude that those law schools in the region who consider the establishment of law clinics should be encouraged to do so. But the question is not only whether to have a law clinic, but how to have it. The selection of clinical model is, in our opinion, the key to success of clinical education program at any law school. The presented results of our research are applicable to the model adopted at Zagreb Law School only. Some other clinics, established under different assumptions and under different organizational structures, would probably be evaluated quite differently. While we cannot exclude the possibility of success of alternative models, we would recommend using positive experiences which are approved in practice. Insofar, our firm

opinion is that any clinic in the region should, in order to succeed, fulfill a set of conditions.

The first one is the sustainability of the clinical program. The law clinic should become a permanent program of the educational institution, not a timely (and financially) limited project-based one. This requires law clinic as a separate course, or even a separate unit or entity within the university.

Law clinic should be an integrated course, not the plurality of associated or adjunct ‘clinics’ of particular chair or courses. In other words, in principle there should be only one clinic at each educational institution, instead of multiplicity of competing ‘clinics’ which do not reach a critical mass and confuse their potential users. This may require changes in the law curriculum, which is admittedly a challenge, albeit not an unsurmountable one.

The clinic will be sustainable only if it enjoys a positive assessment among students, or – in best case scenario – on the passion and enthusiasm of all those who work in it. They should get credits for their work, but this is not all. The volunteering and independent student initiatives should also be encouraged. Willingness to commit to clinical work for more than one semester may be a well-chosen admission criterion. This is probably why clinical practice should remain an elective course.

Student activism does not imply that the teaching staff should remain passive. Quite on the contrary, it should give the directions to the students and supervise their work. However, learning and skills development can be best facilitated if the students are the ones doing most of the work. The teaching staff should also find a way to trust their students. Afterall, they all share joint responsibility for the given advice. Teaching staff should participate in the initial training of student clinicians, but peer learning should not be underestimated. Our experience tells us that when soft skills are in question, no one prepares the students better than their peers who encountered similar situations in their dealing with clients.

Finally – let us end with a word of encouragement. The Law Clinic started with a sincere belief that students craved for clinical practice, but also that our society truly need clinical work as a tangible contribution to citizens’ access to justice. It would seem our perception was not misleading. In 2010, in the first semester of our work, only one case was received, but in the following

semester more than a hundred clients knocked at the doors of the Law Clinic requesting legal assistance. Nowadays, between 1.500 and 2.000 cases are received and more than a hundred students join the Law Clinic on yearly basis. A journey of a thousand miles truly begins with a single step. One should certainly not fear of taking it. In context of legal education, the benefits of a live-client clinical model, both for students and the society, supersedes any challenges which might arise along the way.

**A GUIDEBOOK ON BEST PRACTICES IN RUNNING
LIVE CLIENT CLINICS FOR THE ACADEMIC AND
NON-ACADEMIC COMMUNITY**

ENEMLOS

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