

THE UNIVERSITY OF MEMPHIS LEGAL CLINIC
NEIGHBORHOOD PRESERVATION CLINIC
PROFESSOR DANIEL M. SCHAFFZIN
PROFESSOR STEVE BARLOW

The Basics

COURSE NAME: Neighborhood Preservation Clinic

GRADED CREDIT HOURS: Four (4) **REQUIRED:** No **ELECTIVE:** Yes

PREREQUISITE: Professional Responsibility **CO-REQUISITE:** Evidence

Course Description

Students enrolled in the University of Memphis Neighborhood Preservation Clinic have the opportunity to experience lawyering from the standpoint of the municipal lawyer and municipal administration addressing the complex legal, economic and social issues surrounding real property abandonment and neglect in Memphis, Tennessee. Working under faculty supervision and on behalf of the City of Memphis, students are assigned to investigate property ownership and conditions, communicate with field code enforcement professionals, prepare civil lawsuits, and prosecute neglectful owners seeking an enforceable order of compliance with property maintenance and other local housing and building code standards. Cases are brought in the Shelby County Environmental Court, a unique court of special jurisdiction concurrent with the Tennessee Circuit and Chancery Courts for certain purposes, including the prosecution of cases alleging the existence of a public nuisance (as defined in Tennessee Code Annotated §13-6-102 (8)), and requesting either an order of compliance or the appointment of a receiver to abate the nuisance.

To complement their work as anti-blight litigators, Clinic students participate in a weekly classroom session focused on the pervasive challenge of blight and abandonment in Memphis. The seminar segment of the weekly class is designed to survey substantive code enforcement and housing law, explore national models of legal strategies to address blight and abandonment, outline practice and procedure in the Shelby County Environmental Court, provide skills training, and consider issues of ethics and professionalism that arise in the context of their cases. The seminar component of the weekly class also includes a case rounds component, during which students will engage in an ongoing discussion of the myriad issues and challenges they are experiencing in the cases they are handling. Leaders in the Memphis community visit with Clinic students during Clinic orientation and weekly seminar/case rounds sessions.

To learn more about the Neighborhood Preservation Clinic, please see Daniel M. Schaffzin, *(B)light at the End of the Tunnel? How a City's Need to Fight Vacant and Abandoned Properties Gave Rise to a Law School Clinic Like No Other*, 52 WASH. U.J.L. & POL'Y 115 (2016).

Course Enrollment and Credit

The Neighborhood Preservation Clinic will be open to a maximum of eight (8) students during the Fall 2017 semester. In order to be eligible for enrollment, a student must have completed at least one-half of the legal studies required for graduation and be in good academic standing. Students earn four (4) hours of graded academic credit for their satisfactory completion of the Clinic course.

Why enroll in the Neighborhood Preservation Clinic?

Students in the Neighborhood Preservation Clinic are afforded the opportunity to enhance essential lawyering skills at both the practical and theoretical levels. Through the representation of the City of Memphis in Environmental Court matters, students examine law and lawyering in the context of real litigation, actively navigating ethical, substantive, procedural, and evidentiary rules, and utilizing the critical skills in research and writing, communication, problem-solving, strategy, decision-making, and persuasion they will need to address the multidimensional needs of clients and serve the legal community following graduation. Important values informing these skills will be fostered through a continuous critique of the justice system, ongoing dialogue about lawyers' ethical and professional responsibilities, and discussion about providing legal services in the low-income community and commitment to public interest lawyering.

What Skills Training Does the Neighborhood Preservation Clinic Offer?

Students in the Neighborhood Preservation Clinic develop skills in interviewing, counseling, analysis, and evolution of case theory, legal research and drafting, conducting fact investigation, problem-solving, negotiation, oral advocacy, and courtroom procedure and practice. Students reflect on their experiences in light of issues such as professionalism, diversity, the role of lawyers in social change work and community development, and other questions relating to legal practice. Additionally, skills relating to office, case, and time management are explored.

Time Requirements: The Neighborhood Preservation Clinic will meet for two (2) hours of regularly scheduled classroom time each week. Extra orientation sessions will be scheduled during the first three weeks of classes to ensure proper introduction to the Neighborhood Preservation Clinic's work and training in court and office procedures. Following the Clinic orientation period, Clinic students will be expected to spend fifteen (15) hours per week on Clinic matters, including on case-related activities, in court, and in class. **Before the start of the semester, students will need to commit to a weekly court docket on Thursday morning or Thursday afternoon.**

Community Projects: As a means of further developing presentation and advocacy skills, each Neighborhood Preservation Clinic student will also engage in planning and engaging in a community project related to neighborhood preservation and anti-blight advocacy.