

clear answers. There are no formulas for lawyer problem solving under conditions of uncertainty. We provide students with the same kind of conditions of uncertainty that they are going to confront as lawyers. We give them an opportunity to deal with such conditions in a somewhat more controlled and guided atmosphere.

#### **Client group activism and student moral development in clinical legal education**

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At its best, clinical legal education exposes law teachers and students to the complexity of responding to clients' legal issues. The development of holistic, skilled and ethical student responses to clients' casework issues is an appropriate objective of a law school clinical program. Beyond this, it is also possible to look behind individual clients' problems at the common social factors contributing to their difficulties. Students who examine these 'systemic' issues in their clients' lives seem to develop a more comprehensive understanding of the legal issues confronting their clients individually and as members of a group. Law teachers who facilitate the exposure of their students and clients to the relationship between individual and collective social problems also benefit. They mature in the depth of their appreciation of substantive law reform.

While exposure by students, clients and teachers to real as opposed to simulated problems can catalyse a policy debate, resulting in better law reform and better administration of justice, these results are unlikely without close management by the clinical teacher. Law teachers need to help students and clients move from individual reflection to group reflection upon the underlying social injustices which diminish an equitable society. Group reflection is the key process in enabling policy change and it is this process which is at the core of the concept of Community Development (CD). CD is the generic term used to describe various strategies designed to bring about the recognition that collective action can be effective.

Clinical supervision which is participative in the context of the CD experience is a powerful but underused tool in the moral development of future lawyers. The competing values emerging within a clinical-CD framework provide an opportunity for social policy reflection which ought to be embraced. Supervisors who can stimulate a respectful argument among their students about competing moral viewpoints will lay an essential foundation for this methodology.

Over the last 10 years at Monash University the CD process has become more reflective for students with the addition of a client-group process in partnership with Springvale Legal Service Inc (SLS). In addition to the traditional one-to-one clinical caseload, the student task groups at SLS have concentrated upon the CD issues which that caseload highlights.

The issues have been diverse, ranging, for example, from the over-charging of particular ethnic groups by private lawyers from their own community, to residents affected by toxic paint discharge, to the review of offensive cemetery practices, and to state exploitation of affected gamblers. Clinical group facilitation has been chosen because it seems to offer the best opportunity for social reform.

While the mobilisation of client groups, especially in class actions, has an impressive history, it has not generally included a law student dimension. Sessions in which student task groups reflect on values have been a part of clinical supervision at SLS. This reflection appears to be useful in changing students' beliefs/attitudes as to the interests that call out for responsible lawyering.

Although dependent on insightful supervision that is not always available, values reflection seems to be effective because it is constructive in emphasis and case derivative; that is, personal interactions with clients' cases convince students that the policy discussion and the policy change process are legitimate avenues of endeavour.

The community development process transcends the lawyer/law student in-

volvement in the 'end justifies the means' conundrum by transferring the decision as to any particular strategy or policy from the lawyer to the client group. Community development is about client group empowerment rather than individual versus group interests. It is client group development (in community work) that truly 'values' our clients because it is respectful of where the power to decide should lie.

Law schools can enhance the development of students' values and hence their legal education in thoughtful partnerships with community legal centres. Through a community development process, they can provide the opportunity to ensure that the first workplace experience of law students involves a partnership between the law school and the community. Partnerships of this nature are energetic contributors not just to quality legal education, but also to justice and the Rule of Law. The attraction to legal centres is the assistance in dealing with centre caseload. Small groups of students can be placed with appropriate centre supervisors and handle ongoing files as well as the systemic issues.

American experience suggests that, because of the limited exposure to clinical experience in law schools, the first workplace experience (that is, the private law firm) usually determines the values expressed in practice. Monash experience suggests that, providing the reflective element of supervision is addressed within a community development model, students' motivation to act subsequently in the interests of justice is enhanced. This motivation also encourages and enables greater commitment amongst students to achieve higher standards of proficiency in their undergraduate studies. If valuing our clients in community settings is, with student proficiency and the promotion of justice, a primary goal of legal education, reflective student placements in a community development environment are an invaluable tool.