



LEGAL CLINIC (UNIVERSITY OF SZEGED)

**Tóth, Judit (Department of the Constitutional Law –
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RATE OF LEGAL STUDENTS IN TERTIARY EDUCATION IN HUNGARY

Academic year	All students in tertiary education (100%)	Law students from them	% of the total	All students at regular courses (100%)	Law students from them	% of the total	Teachers in tertiary education
1910/1911						45.0	
1990/1991	102,387	4,738	4.6	76,601	3,128	4.1	17,302
2001/2002	313,238	17,612	5.6	184,071	9,158	4.9	22,863
2002/2003	341,187	17,935	5.3	193,155	9,423	4.9	23,151
2003/2004	366,947	18,096	4.9	204,910	9,643	4.7	23,288
2004/2005	421,520	18,564	4.4	225,512	9,983	4.4	23,787
2011/2012	359,824	15,103	4.2	241,614	8,227	3.4	21,357



TRADITIONS OF LEGAL EDUCATION

- uniform (no specialisation)
- frontal classroom teaching
- formalism, textualised interpretation
- input and output is strongly determined by the state in decrees but budget subsidies are finished
- long process including
 - 5 years of legal theory (BA+MA)
 - 3 years of practice at least and
 - Attorney-at-law exams shall be taken (cca.1 year exam period)
- LLM may provide special legal education (e.g. labour relations, human rights, codification issues, transport law, environmental law)
- The freelance jobs (attorney-at law, law firms, managers, trainers...) and their associations are weak in lobbying for the needs of market and consumers to the everyday conflicts – e.g.Bar of Association has no accreditation standard for law schools for students participation in pro bono activities
- There are state and municipally financed scholarships, student loans and established universities
- so the alternative, interdisciplinary education forms (LC, mediation, law and language, law and literature/arts, case studies) are exotic exceptions from the traditional teaching



LEGAL CLINICS IN HUNGARY

Seeking the own model for legal clinics, the legal education that is operated at 9 faculties can be divided into three parts:

- LC does not exist;
- LC exists as additional, timely form of legal education including street-law activities, occasional legal assistance for local people;
- LC exists as an integrative part of curricula.



LC AT UNIVERSITY OF SZEGED

Mission of the LC:

- making experimental courses to students that are interested in this elective (non-mandatory) part of curricula that is based on abstract, theoretical knowledge of norms,
- preparation for the legal profession providing for students with a live client experience,
- development of ethical issues through practical cases, such as competition or clash of interests, respect of otherness, anti-corruption, fair communication also with underclass people, trust on client, fact-funding from many sources, punctuality, and
- giving legal services for disadvantaged groups as a chance for accession to justice.



LC AT UNIVERSITY OF SZEGED

The LC as optional (elective) course during the 3rd - 9th semester is divided into three substantial parts (LC I, II, III):

- preparatory (legal, institutional, communication, administrative, psychological training for students with guest speakers and tutors) course taking 4 days (40 hours);
- legal counseling for NGOs and segregated clients in their institutes, city hall, NGO offices at least 30 hours per semester - in situ by the students (student duty hours meeting with clients);
- report of the cases to the tutors and consultations with them at least in 16 hours per semester

Total working hours in LC I, II and III: 180 for 6 credits



LC AT UNIVERSITY OF SZEGED

The LC of the Faculty of Law has numerous partners on the grounds of biannual partnership agreements

- with local NGOs representing Roma, handicapped, unemployed, sick, homeless persons and families, early children development centre, centre for volunteers, abandoned children in need, and recently the local/regional municipal social departments and National Centre of Patients, Children and Inmates that may forward marginalized clients to the LC. – They promote the LC services and manage the accession of potential clients during the official hours in the NGOs seat/office.
- with local municipal's social institutions for drug-rehabilitation, shelter for victims of violence in family
- with representative of patients, protected children and inmates in elderly/disabled people's home



LC AT UNIVERSITY OF SZEGED

Main profile of LC:

- anti-discrimination law,
- non-profit organizations law,
- housing, social allowances, social insurance law,
- labor law,
- handicapped persons' rights,
- family law, child protection.

It means that penal cases, migration, commercial or corporate law is out of LC's portfolio.

- Majority of legal assistance is relating to explanation of the legal conditions, to public administration, municipal procedures, mediation in a conflict or preparatory of law-suit.
- Upon request LC assists to submit application for grants or to give presentation on legal changes (for instance, how handicapped persons can access to the tertiary education or how the testament would be defined) or training (e.g. how to recognize the violence inside the household/family).



LC AT UNIVERSITY OF SZEGED

Some examples from recent issues and cases:

- establishing social cooperative for marginalized, uneducated or not fully active people;
- how to modify the statute of NGO in accordance with the new Code Civil, tax and public revenues of public utility organizations; termination of NGO and how to protect the processed personal data of prior members and clients;
- complaint for exclusion of moped for handicapped person from the public transport;
- standardization of shops that are available for blind persons (a new brand 'Friendly shopping for blind persons');
- extra rental charges in community flats for Roma;
- denied address card for Roma



LC AT UNIVERSITY OF SZEGED

The main data on counseling and LC operation in 12 years are as follows:

- The total number of participating students: 160 (it is below our maximal capacity). Beyond these full-time students the non-regular (part-time) students (at evening courses), and ERASMUS law students attending the course on non-profit law in Hungary are received. Since 2011 the LC has been available for part-time students.
- The total number of assisted clients with free legal aid: 750, and together with their involved family members they meant at least 2250 people.
- The number of cases: 700 from them 15% belonged to the social and equal rights, 27% to family law and child protection, 4% to patient rights, 7% to non-profit organizations' rights, 16% to housing, 4% to handicapped persons' rights, 9% to labor law and 18% to public administrative law.



ADVANTAGES AND RISKS OF LC

- as elective subject it requires social/professional commitments from students
- credits for personal work of student
- there is no exam but participation requires knowledge, personality, time, energy and team work from student
- awareness raising and advertisement of the LC is necessary – limited number of participants
- competition with other courses providing credits for less efforts of student
- there is no proper method to screen out the best or at least proper applying students



ADVANTAGES AND RISKS OF LC

- complex development of student's communication ability, legal knowledge and problem-solving capacity
- external LC attracts clients on the ground of partnership agreement, independency in LC profile/refusal, responsibility and curricula of LC is guaranteed in a cooperative spirit
- legal counselling is managed in partner's office (NGO office, social institutions) in situ that relates to societal responsibility of the university that contributes to the clients' trust on LC and students
- the preparatory of student is needed requiring their extra time, energy on how to face prejudices, communication with totally different (underclass) people
- flexibility in each partner's claim, demand is necessary for LC -- regular feedback and evaluation (Board Meeting) and compensation shall be provided for the rhythm of academic year
- students must travel inside the city and be present in time, conditions for counselling are not always proper to interpersonal contacts in situ – informality means a challenge for professionalism



ADVANTAGES AND RISKS OF LC

- tutor is not present in counselling so student has to develop own communication and legal questioning skills
- student shall consider client's case in its full complexity including its documentation (e.g. how to make memo, personal data process)
- infrastructure (own equipped office for training and consultations with tutors) contributes to professional environment of legal work in fact
- LC has own profile and mission, internal rules, statistical/documentation forms and LC materials for students/tutors/evaluation
- consultation with tutors requires further time and energy and relevant information on client's story would not be gathered in a single phase
- preparatory shall include the recognition of student's competence and its borders
- costs financed by the faculty (additional project money from the Ministry of Labour; Ministry of Justice)
- costs and management (Constitutional Law Dept.) shall be institutionalised



