

THE UNIVERSITY OF MEMPHIS LEGAL CLINIC
NEIGHBORHOOD PRESERVATION CLINIC
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The Basics

Graded Credit Hours: Four (4) hours of graded credits

Course Pre-Requisites or Co-Requisites: Professional Responsibility and Evidence should be taken either before the clinic or concurrently with the clinic, although these requirements may be waived in certain circumstances. Requests for waiver should be made in the clinic application.

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, addressing the complex legal, economic and social issues surrounding real property abandonment and neglect in Memphis, Tennessee. Working under faculty and staff attorney 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 T.C.A. §13-6-102(12)), and requesting an order of compliance or appointment of a receiver to abate the nuisance.

To complement their work as property 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.

NOTE: With the onset of the pandemic, the Neighborhood Preservation Clinic is also representing clients facing eviction in settlement negotiations and litigation.

Course Enrollment and Credit

The Neighborhood Preservation Clinic will be open to a maximum of eight (8) students during the Spring 2021 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 are 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.

RELATION TO BAR EXAM SUBJECTS:

This course exposes students to the substantive doctrine and procedure of Civil Procedure, Constitutional Law, Contracts, Decedents' Estates, Evidence, Professional Responsibility, Property, and Secured Transactions. It also exposes students to aspects of the Multistate Performance Test (MPT).

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 weekly class component of the Neighborhood Preservation Clinic will meet for one hour and fifty minutes on a day and time to be determined following registration. Extra orientation sessions will be scheduled during the first three weeks of classes to ensure introduction to the Clinic's work, court activities, and procedures. Thereafter, students can expect to spend fifteen (15) hours per week on Clinic case activities, in court, and in class. **Students must commit to a weekly court docket on Thursday morning (10:00-12:30) or Thursday afternoon (1:15-3:45).**