



Clinic to help pro se litigants

Detroit Mercy Law partners with U.S. District Court

By: Thomas Franz in News Stories October 27, 2017

A clinical partnership between the University of Detroit Mercy School of Law and the U.S. District Court for the Eastern District of Michigan will aim to assist pro se litigants starting this January.

Anne Yantus, the clinical director at the law school, said the idea for the Federal *Pro Se* Legal Assistance Clinic was introduced during a meeting last October.



"The court has had an interest in helping pro se litigants for some time. It was brought up in a meeting to get some students to work as externs in the court to help the pro se litigants. I pointed out that they couldn't give legal advice to litigants because they're working with the court, so we talked about doing a clinic where they would actually be supervised by an attorney who's not a court employee. That way, they could work directly with the litigants," Yantus said.

Donations from the Oakland County Bar Foundation and Miller Canfield have made it possible from a financial standpoint to hire a part-time attorney who will assist the law students. The staff attorney also will serve as an adjunct professor.

Chief Judge Denise Page Hood said the program will help the court in addition to providing students with real-work experience.

"This helps not only people trying to gain access to the court, but it also helps the court and judges because you have something before you that's much more easy to read and directly assesses what the claims are," Hood said.

Hood said they've been examining methods of encouraging lawyers to take pro bono cases over the years as the trend of people wanting to represent themselves has increased.

In discussing what the clinic with Detroit Mercy Law may look like, Hood said the court reviewed similar programs in other cities to come up with ideas for the Detroit clinic.

Hood said the court receives an average of 375 pro se cases per year, and the clinic will be evaluated based in part on the results of those cases.

"What we'll be looking at is the number of pro ses who come in and the number of litigants that are seen by the clinic. The clinic can report to us what result was achieved for who came in and received from help from them," Hood said. "Once we see those services, we can evaluate whether or not the person sustained their claim in the court and whether or not it helped them have an outcome that they felt was good."

Yantus said the clinic will be limited to eight students at a time. Clients must meet the income eligibility rule for the program, which means they have to make no more than twice the federal poverty level.

Under the supervision of the attorney and once it's determined the court would have jurisdiction over a claim, students will be able to assist with all stages of a case's proceedings.

"Assistants can clarify the legal claims in the complaint, and assist the litigants if necessary in amending the complaint and responding to a motion to dismiss. They can help with discovery matters and provide limited research and drafting assistance, but they will be truly helping litigants in all stages of the proceedings," Yantus said.

Yantus added that the part-time attorney for the clinic will need to have experience with federal court practice, specifically with Section 1983 claims and the different case types that pro se litigants file.

While the clinic may benefit the court and litigants, Yantus and Hood said students will gain valuable experience in working with a wide variety of clients.

"I think it's an invaluable opportunity for students to learn federal court practice and be exposed to the judges and the federal court system. Of course, it's a great opportunity to learn how to work with people and how to assist them," Yantus said.

"They'll have a lot of contact with clients who are real people who might come into your office if you're working at a small office or if you're a solo practitioner," Hood said. "It gives them an opportunity to work with someone who potentially has a viable claim but hasn't stated it very well or hasn't put it in a form that's likely to have their claim understandable before the court."

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