

Syllabus of the course

Global Public Service Lawyering: Theory and Practice

Course Directors:

Holly Maguigan

Frank Upham

Diana Hortsch

Resource Persons:

Ágnes Kövér

Pavol Zilincik

Arnold de Vera

Mihaela Serban

WEEK 1

Monday, July 12 Definitions and Introduction to Public Interest Law in Central and Eastern Europe

9:30 – 10:50 Definitions 1 (Holly Maguigan)

Be prepared to offer your own brief definitions of the following terms: public service lawyering, public interest lawyering, cause lawyering, human rights lawyering and globalization.

Austin Sarat & Stuart Scheingold, *Cause Lawyering and the Reproduction of Professional Authority: An Introduction*, in *Cause Lawyering: Political Commitments and Professional Responsibilities* 3-12 (1998).

11:10 – 12:30 Introduction to Public Interest Law in CEE (Ágnes Kövér and Pavol Zilincik)

Petrova, Dimitrina, *The development of public interest law in post-communist states: political and legal limitations*, Helsinki Monitor, Vol. 7 No.4 (1996).

Introduction to Public Interest Law Initiative, Pursuing the Public Interest: A Handbook for Legal Professionals and Activists (2001), <http://www.pili.org/publications/PPI/index.html>.

2:00 – 3:00 Library Tour

Tuesday, July 13 Definitions and Introduction to Public Interest Law in Central and Eastern Europe

9:30 – 10:20 Definitions (2) (Holly Maguigan)

Austin Sarat & Stuart Scheingold, *State Transformations, Globalization, and the Possibilities of Cause Lawyering: An Introduction*, in *Cause Lawyering and the State in a Global Era* 3-15 (Oxford Univ. Press, 2001).

10:30 – 11:20 Sample dilemmas (Holly Maguigan and Arnold de Vera)

11:30 – 12:20 Breakout-small groups (Everyone)

2:00 – 4:00 Library research

Wednesday, July 14 Public Interest Lawyering Strategies and Clinics

9:30 – 10:20 Public Interest Lawyering Strategies (Overview) (Holly Maguigan)

Stephen Ellman, *Cause Lawyering in the Third World*, in *CAUSE LAWYERING: POLITICAL COMMITMENTS AND PROFESSIONAL RESPONSIBILITIES* 349-385 (1998).

10:30 – 11:20 Clinical Legal Education (Holly Maguigan and Ágnes Kövér)

Stephen Golub, *Forging the Future: Engaging Law Students and Young Lawyers in Public Service, Human Rights, and Poverty Alleviation*, An Open Society Justice Initiative Issues Paper, January 2004.

11:30 – 12:20 Sections (clinics) (Holly Maguigan and Ágnes Kövér)

2:00 – 5:00 Individual student-teacher conferences (dilemmas)

Thursday, July 15 Public Interest Lawyering through Courts: Direct Legal Services/Access to Justice

9:30 – 12:20 Public Interest Lawyering through Courts: Direct Legal Services/Access to Justice (Holly Maguigan, Ágnes Kövér and Arnold de Vera)

Edwin Rekosh, Kyra A. Buchko, Daniel Manning and Vessela Terzieva, *Access to Justice: Legal Aid for the Underrepresented*, in *Access to Justice in Central and Eastern Europe: Source Book*, at <http://www.pili.org/publications/SourceBook/index.htm>.

Charles J. Ogletree, Jr., *Access to Justice: The Social Responsibility of Lawyers: The Challenge of Providing "Legal Representation" in the United States, South Africa, and China*, 7 Wash. U. J.L. & Pol'y 47, 2001.

3:00 – 5:00 Field Visit (PILI)

Friday, July 16 Field Visit: Regional Environmental Center

Deadline: Turn in Dilemmas

WEEK 2

Monday, July 19 Law Reform and Dilemmas

9:30 – 10:20 Dilemmas – Direct Services (2) (Holly Maguigan)

10:30 – 12:20 Law Reform and the Advancement of the PIL Agenda in CEE (Frank Upham)

Carothers, Thomas, *The Rule of Law Revival*, *Foreign Affairs* Mar./Apr. 1998, 95-106.

Stephen Golub, *Beyond Rule of Law Orthodoxy: The Legal Empowerment Alternative*, Carnegie Endowment Working Paper No. 41, Rule of Law Series, Democracy and Rule of Law Project (Washington: Carnegie Endowment for International Peace, October 2003).

2:00 – 3:00 Library Research

5:00 Distribute Dilemmas & Dilemma Schedule

5:00 – 7:00 Movie

Tuesday, July 20 Law Reform, Dilemmas and Field Visit

10:30 – 12:00 Law Reform – movie discussion (Frank Upham)

12:00 – 12:50 Law Reform – Dilemmas (2) (Frank Upham)

Leon E. Irish, Karla W. Simon, *The Role of a Good Legal Framework - Capacity Building and Sustainability*, A Paper Presented at the "NGOs in a Global Future" Conference, Birmingham, England, January 10 - 13, 1999, <http://www.icnl.org/gendocs/Birmingham.htm>.

3:00 – 5:00 Library Research

Wednesday, July 21 Dilemmas and Non-Litigation Strategies

10:30 – 11:20 Dilemmas (2) (Everyone)

11:30 – 12:20 Introduction to Non-Litigation Strategies (Ágnes Kövér and Pavol Zilincik)

Ronen Shamir and Neta Ziv, *State-Oriented and Community-Oriented Lawyering for a Cause*, in Sarat and Scheingold, *Cause Lawyering and the State in a Global Era*.

2:00 – 2:50 Dilemmas (2) (Everyone)

3:00 – 4:50 Sections (non-litigation) (Ágnes Kövér, Pavol Zilincik, Diana Hortsch, Arnold de Vera and Mihaela Serban)

Dianne Post, *Women's Rights in Russia: Training Non-Lawyers to Represent Victims of Domestic Violence*, 4 Yale H.R. & Dev. L.J. 135, 2001

Keck M.E. and Sikkink K., *Transnational advocacy networks in international and regional politics*, International Social Science Journal, March 1999, vol. 51, no. 159.

Peter Vermeersch, *Advocacy Networks and Romani Politics in Central and Eastern Europe*, Journal of Ethnopolitics and Minority Issues in Europe (2001).

Thursday, July 22 Field Visit and Teacher-Student Conferences

11:00 – 12:50 Field Visit: International Center for Not-for-Profit Law

2:00 – 5:00 Individual student-teacher conferences (dilemmas)

Friday, July 23 Field Visit and Library Research

9:30 – 12:30 Field Visit: European Roma Rights Centre

2:00 – 5:00 Library Research

WEEK 3

Monday, July 26 NGO Regulation and Accountability and Dilemmas

9:30 – 12:20 NGO Regulation and Accountability (Diana Hortsch and Mihaela Serban)

Peter van Tuijl, *Responding to Rights at Risk. NGOs in a Disabled Environment*, Paper prepared for a workshop of the joint project "Promoting Three Basic Rights: Towards Greater Freedom of Association, Assembly and Speech in Asia," Bangkok, Siam Beverly Hotel, 15-16 July 1997.

Hugo Slim, *By What Authority? The Legitimacy and Accountability of Non-governmental Organizations*, The International Council on Human Rights Policy International Meeting on Global Trends and Human Rights - Before and after September 11 (Geneva, January 10-12, 2002), <http://www.itp.sssup.it/advancedreadings/humanitarian/slim.pdf>

Sam Vaknin, *The Self-Appointed Altruists*, United Press International, October 9, 2002, <http://www.onlineopinion.com.au/2002/Oct02/Vaknin.htm>

2:00 – 5:00 Dilemmas (6) (Everyone)

Tuesday, July 27 Public Interest Lawyering through Courts: Impact Litigation

9:30 – 12:20 Public Interest Lawyering through Courts: Impact Litigation (Frank Upham and Pavol Zilincik)

Susan D. Susman, *Distant Voices in the Courts of India: Transformation of Standing in Public Interest Litigation*, 13 Wisc. Int'l L. J. 58-103 (1994).

James A. Goldston, *Race Discrimination Litigation in Europe: Problems and Prospects*, Roma Rights, Fall 1998, http://www.errc.org/rr_aut1998/notebook-discrimination.shtml.

2:00 – 5:00 Library Research

Wednesday, July 28 Field Visit and Teacher-Student Conferences

9:30 – 12:30 Field Visit: Hungarian Civil Liberties Union

2:00 – 5:00 Individual Teacher-Student Conferences

Thursday, July 29 Dilemmas

9:30 – 12:20 Dilemmas (6) (Everyone)

Friday, July 30 Exit Conferences

10:30 – 12:30 Exit Conferences (Everyone)