

Social Justice Lawyering

LAW6816 Section 14285

Fall 2022

3 credits

Professor Jonathan Barry-Blocker (he/him; él; li)

Visiting Professor

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352.273.0666 (office)

CLASS TIME: T, W, & Th 3:00-3:55 pm

CLASSROOM: Room 270 Holland Hall

OFFICE HOURS: Wednesday 10am-Noon, Room 356 Holland Hall

Alternatively, Professor Barry-Blocker is available by appointment, phone, and zoom. Students are encouraged to meet with him. Per the school's updated pandemic policies, people declining to wear masks should notify Prof. Barry-Blocker in advance so he can choose an alternative meeting location(s).

Notes and updates for this course will be posted regularly on CANVAS and/or disseminated via email.

COURSE DESCRIPTION

This course surveys social injustices stemming from the legacies of America's fraught racial/ethnic & class conflicts. The modern legal injustices are rooted in failed Reconstruction policies and Civil Rights litigious battles. Using seminal court decisions, legal scholarship, advocacy campaigns, documentary/news clips, investigative journalism, and guest lectures, students will explore the role of lawyers in social justice advocacy.

COURSE MATERIALS & PARTICIPATION

There is no textbook or case book. All readings, visuals, and other course material are linked to the **class modules** on the CANVAS course page. A module covers a week's worth of class material. Each module's materials are accessible on the Wednesday prior. I do not require additional reading materials.

Nonetheless there's a wealth of accessible, germane information in academic journals, case dockets, lived experiences, historical texts, and news media. Consume it, digest it, and share your reflections in class. Do not hesitate to recommend supplemental material to the class.

STUDENT LEARNING OUTCOMES

This course explores how legal professionals can advance social justice. First, the course examines the meaning of social justice and the variety of structural factors that contribute to legal inequality. Then it explores ways in which legal assistance is funded and delivered to low-income and underrepresented individuals; different substantive legal arenas in which social justice is pursued; and the diverse ways individuals work for social justice, both in and out of the courtroom.

The course is designed to be introspective and interactive. By the end of this course, students will have:

- Discussed the historical origins and various theories of lawyering for social justice in the United States;
- Compared skills and methods used by public interest and social justice lawyers with those used by traditional lawyers;
- Evaluated landmark case law in substantive areas of social justice such as antidiscrimination, education, voting rights, reproductive rights, and criminal justice;
- Created their own Social Justice campaign

COURSE REQUIREMENTS AND POLICIES

Attendance

Per ABA requirements, attendance at either in-person or remote classes is mandatory, unless you e-mail me in advance with a legitimate excuse. Requirements for class attendance and make-up exams, assignments, and other work in this course are consistent with university policies that can be found at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>.

After Week 1, I will take attendance each class. Tardiness and absences can affect grades.

Assigned Materials

Unless otherwise noted on the syllabus or on the CANVAS course page, all readings, visuals, and assignments are to be completed BEFORE class on the day they are assigned. Class discussions will be focused on the assigned materials for that day and, as with all law school courses, it is essential that students are prepared. This means having read the materials carefully enough to understand, summarize, discuss, and form an opinion about them. If cases are included in the readings, this means being able to brief the cases. It is anticipated that you will spend an average 2 hours out of class reading and/or preparing for every 1 hour in class.

Weekly Assignments

Social Justice is not an intellectual pastime. It requires constant vigilance of current affairs, lived experiences, and developments in innovation. Therefore, each week a group of students must

identify, [lightly] research, and evaluate a relevant social justice issue (i.e. "Reflection"). The issue should tie to that week's readings/lessons. **Write between half to a full page (12 size font, margins no bigger than 1 inch, single line spacing) and submit your Reflection to me via email or CANVAS. Weekly Reflections are due by Tuesdays at 1pm.**

Predetermined student groups will submit Reflections once every three weeks. Thus, a student who submits a Reflection the week of August 29 will submit another Reflection the week of September 19. Accordingly, each student will complete four (4) Reflections over the semester.

These assignments are graded (10 pts.) Your submissions should contribute to the general discussion. Grading will not only be on the quantity, but also on the quality. The following criteria will be used to assign 0-10 points to each assignment:

0-2 points:

Failure to engage the assignment criteria in some meaningful way, such as:

- Failure to submit assignment or failure to submit by deadline;
- Failure to address stated topic;
- Failure to adequately communicate any cogent thoughts.

3-5 point:

The post has no fatal shortcoming, but:

- The writing is unclear or seriously flawed in key parts;
- The post barely addresses the topic;
- It is apparent the post was written and submitted at the last minute without any thought.

6-8 points:

The post is competent in that it:

- Fulfills all the requirement of the assignment;
- Contains writing that is generally clear and absent of major flaws;
- Fully addresses the stated topic.

9-10 points:

The post is excellent in that it:

- Fulfills all the requirement of the assignment;
- Contains writing that is clear and absent of all but minor flaws;
- Fully addresses the stated topic and provides a clear comprehension of the subject matter.

Final Exam/Final Project

The **final exam/final project** will cover concepts from the semester. It includes (1) creating an advocacy campaign for a social justice issue and (2) drafting a truncated litigation memorandum. The policy campaign addresses a social justice issue of your choosing. I will

provide the topic and relevant law for the truncated litigation memorandum. Both components are group projects as social justice advocacy is usually a collaborative enterprise. Groups will present their advocacy campaigns to their classmates the last week of class. I will disseminate additional guidelines and parameters in October.

Advocacy campaigns are due by Noon on November 7, 2022. The truncated litigation memorandums are due no later than December 9, 2022.

Grading

Grading for Social Justice Lawyering is calculated as follows:

- Attendance and participation – 15%
- Graded assignments – 35%
- Final exam - 50%

The Levin College of Law's mean and mandatory distributions are posted on the College's website and this class adheres to that posted grading policy. The following chart describes the specific letter grade/grade point equivalent in place:

Letter Grade	Point Equivalent
A (Excellent)	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

The law school grading policy is available at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>

The law school policy on exam delays and accommodations can be found [here](#).

Classroom Electronics Use

Please silence and store your cell phones during class time – whether you are in-class or remote. If you have an emergency where you must access your phone, then inform the instructor before class.

Impermissible use of a laptop during class WILL affect your grade. Please note the following excerpt from the College of Law's Computer Policy: *"Students may use laptops in the classroom for notetaking and for class purposes as directed by the professor. Other uses are not permitted, including, but not limited to, email, chat rooms, instant messaging, ecommerce, game playing, etc."*

COMMUNICATION POLICIES

Preferred Name and Pronouns

Some students have a preferred name that is not the name provided on the official roll. It is critical that you feel welcome, safe, and recognized in this course. Therefore, I will refer to you by your preferred pronouns and surnames. If your preferred name is not listed on the official UF roll, please inform me ASAP.

You may also change your "Display Name" in Canvas. Canvas uses the "Display Name" as set in myUFL. The "Display Name" is what people see in the UF Directory, such as "Ronnie" instead of "Veronica." To update your display name, go to one.ufl.edu, click on the dropdown at the top right, and select "Directory Profile." Click "Edit" on the right of the name panel, uncheck "Use my legal name" under "Display Name," update how you wish your name to be displayed, and click "Submit" at the bottom. This change may take up to 24 hours to appear in Canvas. This does not change your legal name for official UF records.

I expect reciprocal courtesy from all students.

When generally addressing your fellow students, use your class member's preferred pronouns and names.

Humanizing Language

Traditionally, the law uses sterile or dehumanizing language – especially in the criminal justice context – to address parties and participants. This can include the litigators. Furthermore, professional practices can permit cultural insensitivities and disrespect. Younger or newer attorneys are challenging these practices with more inclusive and humane communication. Therefore, make efforts to persuasively communicate without denigrating classmates and visiting speakers.

CLASS SCHEDULE

This following represents current plans and objectives. This schedule is subject to change in order to enhance the class learning opportunity. Such changes, communicated clearly, are not unusual and should be expected.

Weeks 1 - 4 will develop the professional framework for the practice of law in the social justice arena. Weeks 5 - 12 will focus on the foundation for and implications for social justice lawyering within a variety of substantive areas of the law. The final week will be devoted to summarizing and reviewing the course.

WEEK	DATES	TOPIC
1	Aug. 22	Intro. To Social Justice Lawyering & Legal Services
2	Aug. 29	Representation: Individuals & Communities
3	Sept. 5	Criminal Justice Reform
4	Sept. 12	Criminal Justice Reform
5	Sept. 19	Voting Rights & Electoral Access
6	Sept. 26	Voting Rights & Electoral Access
7	Oct. 3	Transgender & Non-Binary Lives
8	Oct. 10	Education & Children's Rights
9	Oct. 17	Education & Children's Rights
10	Oct. 24	Reproductive Rights & Bodily Autonomy
11	Oct. 31	Reproductive Rights & Bodily Autonomy
12	Nov. 7	Review
13	Nov. 14	Advocacy Campaign Presentations

OTHER UF POLICIES

Accommodations for Differently Abled Students: (UF Policy)

Differently abled students who request accommodations pursuant to the Americans with Disabilities Act should first register with the Disability Resource Center (352-392-8565, www.dso.ufl.edu/drc/) by providing appropriate documentation. Once registered, students will receive an accommodation letter that they must present to me when requesting accommodations. Follow this procedure as early as possible in the semester.

Academic Honesty: (UF Policy)

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at: <http://www.dso.ufl.edu/students.php>

Class Recording Policy:

Students are allowed to record video or audio of class lectures. However, the purposes for these recordings are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.

Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.”

Course Evaluations

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click [here](#) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students [here](#).

Health & Wellness Resources

- *U Matter, We Care*: If you or someone you know is in distress, please contact umatter@ufl.edu, 352-392-1575, or visit [U Matter, We Care website](#) to refer or report a concern and a team member will reach out to the student in distress.

- *Counseling and Wellness Center*: [Visit the Counseling and Wellness Center website](#) or call 352-392-1575 for information on crisis services as well as non-crisis services.
- *Student Health Care Center*: Call 352-392-1161 for 24/7 information to help you find the care you need, or [visit the Student Health Care Center website](#).
- *University Police Department*: [Visit UF Police Department website](#) or call 352-392-1111 (or 9-1-1 for emergencies).
- *UF Health Shands Emergency Room / Trauma Center*: For immediate medical care call 352-733-0111 or go to the emergency room at 1515 SW Archer Road, Gainesville, FL 32608; [Visit the UF Health Emergency Room and Trauma Center website](#).

Diversity, Equity, & Inclusion in the Classroom Ethos

As a law student and future lawyer, it is important that you be able to engage in rigorous discourse and critical evaluation while also demonstrating civility and respect for others. This is even more important in the case of controversial issues and other topics that may elicit strong emotions.

As a group, we are likely diverse across racial, ethnic, sexual orientation, gender identity, economic, religious, and political lines. As we enter one of the great learning spaces in the world—the law school classroom—and develop our unique personality as a class section, I encourage each of us to:

- commit to self-examination of our values and assumptions
- speak honestly, thoughtfully, and respectfully
- listen carefully and respectfully
- reserve the right to change our mind and allow for others to do the same
- allow ourselves and each other to verbalize ideas and to push the boundaries of logic and reasoning both as a means of exploring our beliefs as well as a method of sharpening our skills as lawyers

As part of my commitment to teaching and serving the diverse UF Law community, I have signed the UF Law Anti-Racism Resolution (if applicable).

Basic Needs Assistance

If a student lacks access to sufficient food or lacks a safe place to live, then s/he/they should contact the Office of Student Affairs. Students can also notify Prof. Barry-Blocker for help obtaining resources.