



# CLINICAL LAW PROGRAM

## FALL 2016-SPRING 2017

### COURSE OFFERINGS\*

JACOB D. FUCHSBERG CLINICAL LAW CENTER

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\*AS OF MAY 12, 2016

CONSULT WEBSITE FOR UPDATES:

<http://www.law.nyu.edu/academics/clinics/>

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## LGBTQ Rights Externship

LW.11130 / LW.11483

Adjunct Professor Michael Kavey

Open to 2L, 3L and LLM students

Maximum of 12 students

Spring semester

5 credits\*

No pre-requisites or co-requisites.

### Course Description

The LGBTQ Rights Externship, which combines fieldwork at a local organization with a weekly seminar at NYU, provides students an opportunity to develop and strengthen knowledge and skills that are fundamental in legal advocacy for, and representation of, individuals who identify as lesbian, gay, bisexual, transgender, queer, questioning and/or gender non-conforming (LGBTQ), as well as other individuals who may face discrimination, violence, or other oppression based on their actual or perceived sexual orientation, gender identity, or gender expression.

While the course focuses specifically on LGBTQ issues, students cultivate skills that are broadly applicable to other areas of legal advocacy, including other types of civil and human rights work.

This course has previously been called the "LGBTQ [or LGBT] Rights Clinic." Though the course will be called an externship rather than a clinic beginning in Spring 2017, this is only a change in the course's formal designation; it does not signify changes to the course's content or structure.

#### *Fieldwork*

Each student will earn three credits through 12-15 hours per week of fieldwork at a non-profit legal organization in New York City serving the legal needs of LGBTQ people. For the Spring 2016 semester, each of the course's ten students have been placed at one of six partnering organizations: the [Anti-Violence Project](#), [Immigration Equality](#), [Lambda Legal](#), the [LGBTQ Rights Project of the New York Legal Assistance Group](#), the [Peter Cicchino Youth Project](#) at the Urban Justice Center, and [The Sylvia Rivera Law Project](#). The same six organizations partnered with the course in Spring 2015, and a similar set of organizations is expected to host students in Spring 2017. Student applicants interested in fieldwork at a specific LGBTQ-related legal organization in New York City that is not listed here may reach out to Professor Kavey (mk5306@nyu.edu) to discuss additional and alternative possibilities.

Taken together, the course's Spring 2016 partnering organizations work on a wide array of issues, including family and relationship recognition; immigration; access to public assistance; documentation regarding name changes and gender markers; criminal justice; bias-motivated violence; parenting rights; foster care; school bullying; censorship; and discrimination in education, employment, housing, and public accommodations. The organizations employ a diversity of methods and strategies, including direct legal services, impact litigation, media work, and public-policy advocacy.

The selection of a fieldwork organization for each student depends largely on the student's interests. Before the semester begins, each enrolled student submits a confidential form to the professor that ranks the fieldwork organizations according to the student's preferences. Professor Kavey has been successful in matching students with organizations that the students ranked highly on their preference forms: Of the students who timely submitted their placement-preference forms in the two years that Professor Kavey has taught the course, 62.5% were placed at an organization that they ranked as a first choice, 31.25% were placed at an organization that they ranked as a second choice, and 6.25% were placed at an organization that they ranked as a third choice. Two students did not submit preferences until after the deadline but were nonetheless placed at a third-choice organization. No student during either year was placed at a fourth-, fifth-, or sixth-choice

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\* 5 credits consist of 3 credits for fieldwork and 2 credits for the seminar.

organization. However, while Professor Kavey will continue to make every reasonable effort to match students with a top-choice organization, no particular match can be guaranteed ahead of enrollment, in part because placements depend as well on the evolving needs and capacity of the partnering organizations. Students taking the course must therefore be open to working at any of the organizations listed above, absent special circumstances.

### *Seminar*

In the weekly seminar, students explore a range of issues that arise in the representation of LGBTQ clients and in legal advocacy for LGBTQ rights. Through readings and class discussion, students will consider landmark cases and major legislation as well as cutting-edge issues that shape the ever-evolving legal debate over LGBTQ rights. In addition to examining foundational theories and doctrine, students will consider the practical and strategic challenges encountered by lawyers and other advocates who have played a role in shaping the law in this area. Materials and exercises on important practice concepts and skills will be integrated into seminar discussions.

Topics covered in the seminar will include relationship recognition; employment discrimination based on sexual orientation and gender identity; asylum law and the challenges involved in representing LGBTQ refugees; debates within the LGBTQ community about specific law-reform efforts; and issues that arise in representing clients who face intersecting forms of oppression. The professor also takes students' interests into account in selecting topics.

The principal written assignment for the seminar will be a research project, which students will complete in small groups under the professor's supervision. The professor develops two to three projects in coordination with partnering organizations (though each student only works on one). The projects are designed to provide students an opportunity to work on a legal issue that they did not encounter through their fieldwork assignment, working with an organization other than their principal fieldwork organization. Students will also complete 1-2 shorter writing assignments for the seminar, including a mock press release, and they will give at least one short oral presentation to the class.

The course credits will be 2 credits for the seminar, which will meet weekly for 110 minutes, and 3 credits for fieldwork for a total of 5 credits. The seminar will meet during the late afternoon or early evening on a day to be determined.

### **Application Procedure**

Interested students should submit an application, resume and grade transcript through CAMS. In answering Question 4 in the clinic application, students should indicate any preliminary interests or preferences with respect to fieldwork, though they will have an opportunity to amend their answers if they are admitted to the course. The application process includes a brief interview. Students should not hesitate to contact Professor Kavey with any questions (mk5306@nyu.edu).

The LGBTQ Rights Externship also welcomes LL.M. enrollments, but it does not specifically reserve space for them. The application period for LL.M. students is May 10-June 3, 2016. (Please note there is a separate application form for LL.M. students.)