

Emergency Services Centre - 3333

University

Combines clinical training with community service

CLASP means free legal aid from Osgoode students

The "marriage" of theory and practice — that mystical union heralded in several political-social philosophies — is now the experience of 125 law students at Osgoode Hall.

And as the marriage is consummated, a lot of people get free legal help in Toronto — including people at York.

The students work in the Community Legal Aid Services Program (CLASP), an outgrowth of Ontario Legal Aid with seven offices scattered around the city and another at the York campus.

Most law schools in Canada have similar programs and with limitations set by the Law Society, the law itself and the students' own awareness of their level of competence, the programs function much like any general practice.

No pay involved

The difference is no pay is involved. Most of the students' cases are referrals from Legal Aid offices, with the rest coming off the street or at York from the student body. All the clients must be financially unable to afford a lawyer and their cases must be within the competence of the student counsel.

According to CLASP head Paul Shapiro, a third year student at Osgoode, the students handle cases dealing with things from assault, causing a public disturbance and liquor offences to family disputes and some narcotics cases.

They do it free and Shapiro claims their "win" percentage — including cases "settled well before they get to court, if the client's situation has been considerably improved" — is close to 60 percent.

They can't handle real estate claims, divorces or major criminal cases — "unlike the TV law students". And they won't take cases where someone faces minor traffic charges such as making an improper left turn or running a red light.

They have also refused several requests from University faculty to handle cases on the grounds faculty members can afford a lawyer.

"We get a dozen calls a year," Shapiro said in an interview Tuesday, "from faculty members wanting to buy a house and asking us to look over the offer to purchase. We take the position that anyone who can afford to buy a house can afford to have someone look over the deed."

Some criminal actions

The criminal actions they deal with are generally minor, at least on the surface. In many cases, the prosecuting crown attorney has the option to proceed summarily or by indictment. In the former, sentences are lighter and the judge often has the option of suspending sentence.

In cases of simple possession of

any drug except heroin, the crown usually proceeds summarily unless the defendant has been previously convicted and is being charged "for the 19th time".

If the client comes to CLASP, the student assigned tries first to obtain a lawyer from Legal Aid, but according to Shapiro, if it's "a first offence and there's no chance of the person going to jail they won't provide a lawyer."

"They tend to take cases only if somebody's freedom is at stake...but if he's convicted, the \$100 fine is the least of the problems. There's the question of passport restrictions; he may have trouble getting bonded or with a security check if he wants to work for the government and he would for example, have a lot of trouble if he wanted to become a lawyer."

700 cases a year

All in all, the York office handles 300-400 cases per year, not counting those who just come in or phone for advice and the downtown branches, operating mainly out of schools or church buildings — "anywhere that's free" — take another 350.

The number using the service, both at York and elsewhere, has increased substantially since CLASP was formed three years ago.

Shapiro stressed they "are not, in any way, in competition with the legal profession", but rather take cases either legal aid lawyers or others wouldn't normally take.

"The tariff (or stated fee) for small claims," said Shapiro, "of less than \$400, is \$40. And a lawyer, even a young lawyer, can't spend a day of his time for less than \$100 — or won't."

The students are closely supervised by a committee of seven Osgoode faculty members who act as an advisory board and Professor Sid Lederman is assigned specifically to oversee the operation.

They are also responsible to a panel of student supervisors and to the five-man board of the organization.

And while the downtown branches are free to set their own hours, location and membership, they are still responsible to CLASP.

With the number of cases, some students work up to 40 hours per week in CLASP offices, gaining a practical experience not found in the classroom. Shapiro feels that with some exceptions due to the restricted types of cases they can handle, it provides as good training as much of the articling they do after graduation.

The suite of offices at York, located on the first floor of Osgoode in rooms 118-23, are open Monday to Friday from 12 noon to 5 p.m. and can be reached at 635-3143. One duty counsel is on each afternoon and another three or four students are



Law student and CLASP member Larry Sonenberg gives legal advice to a woman, not from York, on a case she brought to the offices in Osgoode Hall. They are open Monday to Friday

from 12 noon to 5 pm, with a duty counsel on hand to give advice and handle cases of people from on or off campus. The service is free.

"around", talking or working on cases.

It could be your grandmother

In Ontario, there are no student practice rules as there are in many U.S. states. So what they use is an item in many legal statutes that allows an "agent" to appear for a defendant. According to Larry Sonenberg from CLASP, "it could be your grandmother".

"We have no more authority than any citizen. But what we do have, we hope, is a little more knowledge and certainly through the faculty the availability of a great deal of expertise (considerably more than your grandmother)."

And he stressed the commitment of the students to their clients. All records are strictly confidential and in the case of any conflict between what they might like to try and what they know to be in the best interests of their client, the latter usually wins out.

So much so, that at the moment a CLASP person is helping a York student sue a law student over a traffic accident. But it has its limits. Said Sonenberg: "The law student is not a member of CLASP. If he was we would have shipped the file down to (law students at) U. of T. and let them sue."

Odds & Sodds

Winters film series

Winters College Council is holding a special weekend film series from Friday, March 10 to Sunday, March 26. All nine shows are \$3.00 with a series ticket — tickets are on sale until February 26 in the first floor lobby of the Curtis Lecture Halls and will be sold for one day only (February 24) in Central Square.

Swimming championships

The Varsity OWIAA Championships will be held at the Tait McKenzie Pool Friday, February 11 and Saturday, February 12. The Leaside Aquatic Club will be using the Pool's facilities Sunday, February 13. Members of the York community are asked to note that the Tait McKenzie Pool will be closed for recreational swimming from 1:00 p.m. Thursday, February 10 to 12:00 noon Monday, February 14.

Glendon Orchestra tonight

The Glendon College Orchestra under the direction of Alain Baudot will present an evening of symphonic music tonight at the Church of St. Clement, 59 Briar Hill Avenue at Duplex.

Also appearing on the program will be concert pianist Doreen Simmons, contralto Deborah Milsom and organist John Sidgwick along with the St. Clement choir.

This will be the second of three performances held to finance a new

organ console for the church. Tickets are on sale at the door. Admission for adults is \$2.50; for children (12 and under) \$1.

AGYU exhibit

An exhibition of graphic and other works by the internationally-known artist, Victor Vasarely, will be shown until Thursday, February 17 in the Art Gallery of York University. Gallery hours are 11:00 a.m. to 5:00 p.m. Monday through Friday and 2:00 p.m. to 5:00 p.m. Sundays.

Poster production

The York Campus Bookstore is now able to produce signs and posters for individuals or groups within the York community. Signs may be type-set in either bold face or italics and printed on one of three standard-size sheets of poster board to a maximum size of 14 x 22. Many poster board and printing colour combinations are available. Brunner, the Bookstore's assistant manager, will be pleased to provide information or order forms for sign production. He may be reached at local 3811 or in person at the Bookstore.

Renaissance dance

A Workshop in Renaissance Dance, sponsored by the Centre for Continuing Education, will be held February 19. Fee is \$10 — for further information call 2501.

Atkinson Weekend draws Nader

U.S. consumer crusader Ralph Nader will headline a weekend of symposia, plays, panels and parties March 3, 4, and 5 as Atkinson College holds its annual celebrations — this time marking eleven years of the Faculty's development.

Billed as Atkinson — The Experiment Succeeds, the program is being organized largely by College students and the Student Association.

With the exception of dances Friday and Saturday and the Nader address being held Sunday afternoon in Tait McKenzie, all events are free, and all will be open to members of the York community and people from off campus.

Free day care facilities will be provided throughout the weekend, and while children are busy with playmates, the rest of the participants will be free to roam the display areas or take in the panels on three basic issues facing Canada — urban growth, Canadian independence with speakers from the Committee for an Independent Canada, and Quebec since the War Measures Act.

Some of the speakers include Ron Haggart, Dennis Braithwaite, Eddie Goodman, Guy Charron and publisher Jack McClelland, along with Nader.

Two cultural highlights will be a series of Canadian-made feature films to be shown

throughout the weekend and Matthew Ahearn's play *The Tragedy of James Dunn* that will be staged each evening.

And, once again, the rivalries will flare in a student-faculty basketball game.

For further information on any events call 635-2489, or 635-3051.

Quote of the week

The golden rule of science is: Make sure of your facts and then lie strenuously about your modesty.

—Peter McArthur, To be taken with salt, 1903.

Science speaker series

The two final lectures in the Distinguished Science Speakers' Series will take place on February 11 and 24.

On February 11 Dr. Hans Selye, Director of the Institute of Experimental Medicine and Surgery at the University of Montreal, will speak on "Creativity in Research". The lecture will be held at 4:30 p.m. in the Senate Chamber.

Professor Selye is the author of more than 1300 publications in technical journals, and of 26 books. He

holds earned doctorates in medicine, philosophy and science, as well as 14 honorary degrees conferred on him by universities in eleven countries. He is a fellow of the Royal Society of Canada and honorary fellow of 42 other scientific societies throughout the world. Recipient of numerous medals and honorary citizenships, he has been made a Companion of the Order of Canada, the highest decoration awarded by the country.