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Establishing a University Legal Clinic: A Practical Toolkit

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Introduction

University legal clinics have become a major pedagogical innovation in higher education, particularly in the field of law, as they provide a fruitful combination of theoretical learning, professional immersion, and social engagement. These clinical education structures allow students to apply their academic knowledge to real-world situations while participating in a mission to improve access to justice, especially for individuals or groups in vulnerable situations.

For this reason, the EUqualis project included several activities involving three of the legal clinics active within the Faculty of Law and Criminology of the Université libre de Bruxelles. The three clinics selected were those presenting a clear link with EU law:

- The Equality Law Clinic, which focuses on anti-discrimination law, and within which students work on files/studies in collaboration with civil society organisations and other clinics.
- The Refugee Law Clinic, which focuses on foreigners' law, and within which the students assist with the consultations offered by a first-line NGO to persons seeking advice about their migration status. The Refugee Law Clinic started in the course of the project to collaborate with the "Pôle Santé" of the ULB for a new interdisciplinary initiative, referred to the *Equity Health Lab*, centred around a global approach to health and within which law students collaborate with students from medicine, pharmacy, motor sciences and psychology, as well as the nursing, midwifery and social work departments of the Haute École Ilya Prigogine, and a network of Brussels-based associations.
- The European Criminal Law Clinic, which focuses on EU criminal law, and within which students collaborate with criminal lawyers through the preparation of notes and studies on legal issues faced in real criminal cases. The clinic concludes with oral presentations.

Building upon the work and expertise of the legal clinics created within the ULB, this toolkit aims to support universities in the creation and implementation of such clinics. It is based on the annual reports prepared by some of the ULB legal clinics mentioned above, and the discussions held during the first edition of the "Legal Clinics World Café" organised in April 2023 as part of the EUqualis project. A series of academic sources in law and education sciences complement these informal exchanges.

I. Conceptual Framework and Definition

In its modern form, the legal clinic goes far beyond the mere practical exercise of law: it is a space for pedagogical experimentation, empirical research, and community service. Inspired by Anglo-American models of "clinical legal education," it seeks to train critical, responsible, and socially engaged legal professionals. As emphasised by Elise Poillot, the transplantation of the American model to continental Europe must consider local academic, legal, and social contexts, particularly the emphasis on theoretical legal instruction in civil law traditions (Poillot, 2016). Gender-focused legal clinics, such as those developed through the LAWGEM project, exemplify how clinics can simultaneously function as educational environments and tools for advancing substantive equality. They provide a space where law is understood as a social construct subject to critique and reform, thereby enhancing students' awareness of gendered dimensions of justice (Saeidzadeh et al., 2022).

II. Guiding Principles for Implementation

1. Needs Analysis and Thematic Selection

Before establishing a legal clinic, a thorough needs assessment is essential to identify gaps in access to justice in a given area or within a specific legal domain. This phase allows for the identification of relevant themes the clinic could address (asylum law, discrimination, European criminal law, prison law, social law, gender justice, etc.), while taking into account the available expertise among faculty, external partners, and students.

2. Curricular Integration

It is crucial that the clinic be fully integrated into the institution's academic program and be eligible for ECTS credit validation. Aligning the clinic with prior theoretical coursework is recommended. In that regard, the ULB experience has proven effective: all three legal clinics associated with EUqualis are now considered equivalent to a master's thesis and count for 15 ECTS. They can take place over the year, or only in the second semester. Their integration helps to ensure their visibility, as they appear among the choices offered to first-year master students (drafting of a research master thesis, completion of an internship, participation in an argumentation seminar or participation in a legal clinic). A yearly information session allows the professors to present the work conducted in each clinic and the added value of such a form of teaching.

Students are generally motivated by the possibility to work with practitioners on cases and legal questions coming from their practical experience with the law, and they see this as an advantage of legal clinics over ex-cathedra academic courses. However, on an individual level, the degree of involvement can vary, and tensions may arise between the academic work required as part of their studies and the higher degree of engagement of a clinic and the activities carried out there. For this reason, participation in a clinic must remain a choice, and cannot be imposed in the curriculum.

3. Supervision and Mentorship

The pedagogical quality of the clinic relies on the commitment of a multidisciplinary team: faculty members, doctoral candidates, and legal practitioners (lawyers, judges, NGO legal experts). Supervision must be attentive, encouraging reflective practice and ethical awareness.

The topics covered sometimes require supporting students in advance, whether **on the substance** if there is the need to teach basic elements of the subject that have not been covered in previous courses, **on the methodological level** (for example, how to conduct semi-structured interviews, or familiarize oneself with research work to be carried out in English) or more transversally **on the expected behavior in formal and informal interactions with professionals** (sometimes also being volunteers working within associations or people working in non-legal environments with different approaches). On the methodological level, clinics sometimes constitute a delicate mix between activism, civic engagement, academic rigour and requirements of neutrality, and it is necessary to find the necessary distance from the subject covered.

III. Organisational Challenges and Practical Solutions

1. External Partnerships

A key factor in the success of a legal clinic is the creation of a network of reliable and engaged external partners. This includes legal professionals, NGOs, advocacy groups, and institutions active at a local, national, regional or international level.

One of the main difficulties encountered by clinics is the need to build up and “retain” a network of professionals likely to become involved in their activities, for example by welcoming students or passing on certain elements drawn from files (cases with a lawyer, legislative file followed by an organization), in order to involve students in carrying out legal studies or consultations.

In this respect, the practitioners associated with a clinic must be informed about the practical implications of their participation, and it is helpful to offer them a measure of the time that they must devote to it. This helps avoid situations where the practitioners' investment varies from case to case, which can lead to frustration among the students. It is also important to show them the benefits and returns they can expect, and specify the commitments made by the students, particularly about professional secrecy and/or confidentiality. These elements help create a bond of trust that grows stronger over time.

2. Managing Timelines and Expectations

University academic calendars do not always align with the timeframes of legal practice. Therefore, incorporating flexibility into the clinic's operational structure is necessary.

It is important to note here the marked distinction between the academic environment, which carefully supervises students with well-defined structures and clear guidelines, and the tangible reality of clinical practice, characterised by the immediacy and urgency of the cases handled. This difference underlines the need for a smooth transition and solid supervision to effectively prepare students for the reality on the ground. It also implies the need to prepare them for the gap between the temporality of clinical practice and that of the cases they are asked to handle. They may be required to submit incomplete work, without having all the relevant information and not necessarily allowing them to "find a solution." This reflects the ambiguity that may exist between the clinics' practical and academic dimensions.

The virtue of example through observation is emphasised in some clinics. For instance, prior to its collaboration with the Equity Health Lab, students participating in the Refugee Law Clinic were not required to provide a final solution to the case they examined, but rather to submit work that is as transparent as possible, also including their remaining questions.

3. Administrative and Logistical Support

Many clinics lack administrative support. However, legal clinics require substantial organisational resources. Clinics like CIDDHU demonstrate the value of clear procedural documentation and regular team meetings for project continuity and evaluation. Tools such as logbooks, mandate breakdowns, and mid-semester evaluations support long-term impact assessment (Duhaime, 2010). Practice at the ULB also shows that it is essential to have someone who ensures continuity, acting as a guardian of administrative memory and the specific activities of each clinic. Without such support, the coordination and monitoring often seem fragmented and lack continuity, which increases the administrative burden on the professors coordinating the clinics.

Similarly, such administrative and logistical support can help to valorise the work carried out by legal clinics and ensure their visibility. Too often, the work developed within clinics, despite its exceptional quality, is not sufficiently known. Their dissemination, publication and communication on their work are essential to maximise their impact. To disseminate their activities, as an example of a good practice, the Equality Law Clinic operates a website highlighting its activities and combines clinical work with the organisation of events, combining the projection of a movie or documentary with a debate between academics and civil society actors.

IV. Legal Clinics as Tools to Address Societal Inequalities

Legal clinics provide an effective platform to confront and reduce structural inequalities in society. Through direct legal support to marginalised individuals and communities, clinics contribute to addressing systemic barriers related to gender, socio-economic status, migration, and ethnicity. The integration of intersectional analysis within casework enables students to critically assess how law reproduces or mitigates injustice, thereby aligning clinical legal education with broader societal transformation goals. After their participation in a legal clinic tackling directly or indirectly inequalities, students emerge with sharpened legal skills, a deeper understanding of social justice lawyering, and a clear sense of how legal tools can be used to

address contemporary inequalities in both public policy and university governance. Legal clinics indeed serve as laboratories for critical legal practice, enabling students to tackle real-life challenges affecting marginalised populations and to reflect on the structural role of law in either sustaining or redressing social inequalities.

Case Study: ULB Equality Law Clinic – Tackling Energy Poverty

Source: Activity report of the ULB Equality Law Clinic for the Academic Year 2023–2024¹

Themes addressed: Socio-economic rights, energy poverty, constitutional litigation

The Equality Law Clinic (ELC) carried out a project on the right to affordable energy, focused on assessing the legal and social implications of the Belgian federal government’s decision to limit the expanded eligibility for the social energy tariff after July 2023. Students examined how the energy tariff system, initially extended during the COVID-19 and energy price crises to include all BIM (increased intervention) beneficiaries, was subsequently scaled back, affecting vulnerable populations.

In collaboration with experts from the energy law sector—including a PhD researcher, the Commission for Electricity and Gas Regulation (CREG), InforGazElec, and a CPAS social worker—the students analysed both the national legal framework and international human rights standards relating to the right to affordable energy. They produced a detailed legal memorandum that could support a potential constitutional complaint, arguing that the legislative rollback may violate the principles of equality and non-discrimination, especially given the disproportionate impact on low-income, unemployed, elderly, and single-parent households.

The study emphasised that affordability is a core component of the right to energy and called for structural reforms to ensure that the social tariff becomes a permanent and inclusive measure. Their findings align with broader advocacy initiatives, such as those of the Platform against Energy Poverty, coordinated by the King Baudouin Foundation.

V. Clinics and Student Professionalisation

Clinical legal education also plays a critical role in the professionalisation of law students. By simulating or engaging in real-world legal practice under supervision, students acquire key skills such as client interviewing, legal drafting, advocacy, teamwork, and time management. The structured guidance provided by experienced practitioners ensures that learning is both experiential and reflective. These experiences bridge the gap between academic knowledge and legal practice, better preparing students for diverse careers in and beyond the legal profession.

¹ <https://equalitylawclinic.ulb.be/actualites/rapport-dactivites-de-lelc-2023-2024.html>

Even in legal clinics in which students work mostly on the preparation of studies or reports, their participation in the clinics offers them immersive learning experiences that combine doctrinal research, field interviews, legal drafting, and systemic analysis.

Case Study: ULB EU Criminal Law Clinic

Years active: since 2019

Themes addressed: Fair trial rights, European Arrest Warrant, procedural justice, mental health, ne bis in idem, mutual recognition

The EU Criminal Law Clinic was developed to integrate a practical dimension into advanced legal studies and to enhance awareness of European criminal law's real-world applications. It welcomed a select number of Master's students each year for a series of six four-hour sessions. The clinic was structured around the preparation of real cases submitted by practising lawyers and NGOs. Participants were provided with theoretical and methodological materials from the outset to ensure they could engage with the material effectively.

Small groups of 2–3 students were assigned to work on concrete cases with regular feedback from Prof. Weyembergh, the other researchers and the practitioners associated with the clinic, being either Brussels-based lawyers (e.g., Me. Maryse Alié, Me. Christophe Marchand, Me. Nicolas Cohen), Portuguese lawyers (e.g., Me. Vânia Costa Ramos), or legal experts active in advocacy efforts (Laure Baudrihay-Gérard, formerly of Fair Trials). The cases addressed by the students deal with complex issues like access to legal counsel, the application of the European Arrest Warrant, and mutual recognition of criminal decisions.

Students submitted written work after each session and culminated their experience with a formal oral presentation before the supervisory team and practitioners. Former students were invited to reflect on their experiences, highlighting the long-term impact of clinical learning on their professional trajectory.

To deepen their understanding of institutional practice, participants visited the Court of Justice of the European Union in Luxembourg, attending, for instance, in 2022 and 2023 hearings on extradition and the EPPO regulation. These hearings were bookended by contextual briefings from référendaires and debriefings with judge-rapporteurs, offering students an unprecedented view of high-level EU judicial proceedings.

VI. Ethical Considerations linked to the Work with Vulnerable Populations

Legal clinics often engage with highly vulnerable populations. Clinics oriented towards gender justice have emphasised the importance of preparing students to recognise and challenge systemic inequalities, including those rooted in law itself. The use of simulations, supervised interviews, and reflective debriefing sessions is central to ethically sound clinical education (Saeidzadeh et al., 2022).

The ULB legal clinics are encouraged by their societal vocation to work with vulnerable groups (such as prisoners, people who have applied for international protection, people in precarious situations and/or exposed to certain discrimination). This requires, at the very least, some prior reflection and the implementation of certain support measures.

Students sometimes express a desire to meet directly with the people involved in their work. However, it is essential to understand that a simple meeting is not always the most relevant or effective approach. There is an underlying risk of voyeurism or creating a certain unease. Clinics' coordinators may have to explain how it is entirely possible to work on behalf of these individuals without necessarily meeting them in person. Associations or practitioners can act as mediators to access information or testimonies without directly exposing vulnerable people. When a meeting is organised, it is imperative to do so with respect and sensitivity, and possibly to plan awareness-raising activities (for example, a half-day on the stereotypes and prejudices that may exist towards the people the students will be coming into contact with). In addition, students must often consider the emotional distance to maintain from these vulnerable individuals. For example, the Equality Law Clinic implemented an exercise called "I'm okay, I'm not okay" at the beginning of each plenary session, allowing students to express their feelings and share their thoughts, whether personal or related to the clinic. Similarly, at the Refugee Law Clinic, a space is dedicated to sharing emotions and concerns.

VII. Recognition and Sustainability

1. Communicating and Disseminating Results

The work carried out in legal clinics should be recognised and valued both academically and socially. The communication of their outcomes serves both to recognise student work and to engage with broader societal issues. UQAM's CIDDHU has used reports, petitions, media campaigns, and UN submissions as tools for showcasing student contributions while advancing advocacy efforts. These outputs also serve pedagogical functions by teaching students about audience-specific legal writing (Duhaime, 2010).

2. Inter-Clinic Networking

Networking between clinics is crucial for fostering collaboration, sustainability, and innovation. Initiatives like ENCLE (European Network for Clinical Legal Education) and LAWGEM (Legal Aid and Women's Empowerment in the Mediterranean) demonstrate how partnerships between institutions can create opportunities for curricular development, promote social justice, and give students broader exposure to diverse legal practices across Europe. ENCLE brings together law schools and legal clinics across Europe to promote and develop clinical legal education, offering a platform for sharing best practices, resources, and ideas. LAWGEM focuses on providing legal aid to women in the Mediterranean region, creating networks that empower women and address gender-specific legal challenges. Informal exchanges and occasional meetings between clinics allow for the sharing of ideas, methodologies, and projects, which not only enrich the learning experience but also strengthen ties between institutions.

Even within a single university, it is crucial to consolidate, strengthen, and clearly define the network of clinics (starting initially with the ULB legal clinics), specifying the responsibilities of each party. Exchanges and occasional meetings between clinics, even if informal, are essential to allow everyone to discuss and share ideas, methodologies, and projects.

3. Alumni Follow-up

Maintaining strong connections with alumni is another key factor for clinic success. It helps maintain a cycle of mentorship and community engagement, which is critical for ensuring the long-term impact of legal clinics. By fostering continuous alumni involvement, clinics can sustain their growth, provide lasting value to students, and strengthen their contributions to society.

As an example, in the EU Criminal Law Clinic, former students are invited to share how their clinic experience influenced their professional careers. However, at the level of the university, there is not yet a formal system for maintaining these valuable relationships, and the students lose after graduation their access to the university email address. Potential solutions include creating alumni networks via LinkedIn or WhatsApp, or gathering consent-based email addresses.

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