

Hofstra University School of Law

**Family Law with Skills
Course Portfolio
Spring 2011**

May 9th, 2011



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Family Court Observation



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March 10, 2011
Family Law/Skills

Court Observation

On February 16, 2011, I visited the Queens Family Court. I set up an appointment with Legal Aid Attorney, Before getting to the court, I told myself to take in the experience not only as a law student but through the perspective of an immigrant, a limited-English speaker, a woman, and a child. As I walked through the hallways, made my way into courtrooms, and even while just sitting at one of the waiting rooms, I thought about what the experience would be like for others. The visit was my first time to family court. From the conversations I've had with others about family court, I expected it to be very busy, loud, and overcrowded. I have also been told on many occasions that "if you want to see how crazy court can get? Spend a day at family court!" I kept those opinions in the back of my head during my visit, wanting to make my own judgment about the experience.

I came to the court on an early Wednesday morning. Getting off at Jamaica station and walking to the courthouse, I knew I was going in the right direction when I noticed the company I was in. There were people in suits, walking with large shoulder bags and pairs of parents walking with their children touting papers in their hands. Once I got to the court, I was a little surprised by how new the courthouse was. I was greeted nicely by the security officers and followed the clearly marked signs to the Legal Aid office. Getting to the Legal Aid floor, I felt as if I was in a in the hallway of my local YMCA. There were flyers in different colors, signs in different languages, phone numbers, and information about events posted to the wall. I was very fortunate to have with me during the whole visit. She took me to three different court proceedings and gave insightful commentary about each one.



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The first court proceeding I attended was an evidentiary hearing to determine whether or not the mother was neglecting her fourteen-year old son. The school had sent notices about frequent absences, poor class performance, and testimony that the child always wore the same clothes to school and was “unkempt.” The child would be sent to foster care if the court found that he was in “imminent harm” from his mother’s alleged neglect. What was interesting about this case was that I got to see a counselor and the child’s school principal serve as witnesses to the trial. They were asked questions about the boy’s school performance and social interactions with others. The most important testimony was when the school counselor was being crossed by the mother’s attorney. There were questions about the counselor’s experience and education in child-development and whether or not she had the expertise to testify about the boy’s alleged lack of social skills with others. I also noticed how upset the mother was when the school counselor spoke about how unkempt she thought the boy was, focusing on how long his hair was getting, how his nails were not cut, and most importantly that he wore the same green hooded sweater to school every day (he was wearing the same sweater in court that day). The mother would shake her head and openly criticized the counselor, pointing to the fact that he son liked his hair long and that she washed his clothes every other day. The judge’s main issue with ACS was that she did not see any “imminent harm” in a child having long hair or wearing the same clothes, so long as they were washed. I was also surprised to see how close the son and mother seemed. Even during a closed meeting that the judge had with the attorneys, the son sat closely to his mother. I felt that poverty played a strong role in this case. I wondered if the son wore the same clothes to school every day because his parents could not afford anything more. I also wondered if he was anti-social at school because he was self-conscious about himself, as many



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14 year old boys are. I did not get to stay for the end of the hearing but I wondered what the boy would say about the whole situation.

Before I got to the courtroom for the first proceeding I observed, already prefaced to me that the court I was going to see was very different from how other courts were run. I was not sure what she meant until of course, I experienced it for myself. What I came to realize was how important the judge's personality was to the order of the courtroom. The most starking part of the hearing was how disorderly the proceeding was. The child was represented by a Legal Aid attorney and the child's mother was represented by a court appointed attorney. During the proceeding, the judge allowed the parties to talk over each other and the ACS attorney was constantly interrupted by her supervisor who was telling her what questions to ask and how to respond. I was completely surprised by this behavior. The mother's attorney was also a character. He had piles and piles of paper on the table, flipping through pages to while he spoke, and interrupting the judge. I wondered how the mother and son felt watching their attorneys' behavior.

The second proceeding I observed was a series of juvenile delinquency hearings. They were short and mostly procedural matters. What was interesting about these proceedings was the use of court translators. The child would enter the room with a parent, each identifying themselves to the court. The parent stood behind the child who sat next to his or her attorney. The translators spoke very quickly and unemotionally to the parent, who just seemed to lean into hear what the translator was saying. I was surprised by how detached the translators were. My experience with translators has been more interactive. Here, the translators did not look at the parent but looked directly at the judge, she did not pause to ask the parent if he had any questions, and whisked away after her job was done. Once the order was made, the children were



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handcuffed by the court officers and taken back to the juvenile detention center which was located below the courthouse. Each of the children turned back to their parents, whispering “I love you or a quite “goodbye.”

One very interesting part of the proceeding was listening to the judge give her orders to one juvenile who just turned 16 years and was subject to adult detention if he violated his probation. The judge went through each of the juvenile’s charges and his requirements for community service, attending school, and most importantly, staying out of trouble. After each statement, the judge asked the juvenile whether or not he understood what she was saying and if he had any questions. I thought this was a very important part of the proceeding. It was the first time the juvenile was addressed directly and had an opportunity to respond. I was a little shaken by the juvenile delinquency proceedings because I had never seen someone so young get handcuffed and taken away by police. I could not help but notice how young the children looked and wondered what was going through their heads. I was also reminded of the high statistic of young offenders becoming adult offenders and I wondered how successful the delinquents would be in following their probation.

The last proceeding I saw was a very short but difficult case. I saw the end of a custody proceeding where a mother gave up her legal rights to her eldest son, who was 16 years old, and did not want to return to her care after being in foster care. The mother, an African American woman, who looked in her early 20s, was petitioning for custody of her children. She lost them because she failed to complete her drug treatment. The young woman had five children. I was most struck by how legally “easy” it was for the mother to relinquish her parenting rights away. In about three sentences explaining what giving her rights away would mean and in one “yes,” her son was no longer legally hers. This unsettled me. I thought about her eldest son and what



reasons he had for not wanting to go back to his mother and I wondered how the mother felt about not getting to see her child again. I also thought about the best interest of the child and all the second chances the mother had to “clean up her act.” It was a hard case to end the day with.

I was very appreciative of _____ who, as a 25 year veteran in the family court system, is not jaded by what she sees but moves along to do the best she can for her clients. To me, the Queens Family Court is a juxtapose. It is specious, has plenty of natural lighting, large windows, and clean silver walls but within the court house, the cases and issues being heard are anything but peaceful and inviting. Overall, the observation was a very valuable experience. It made me think about how complex family law issues are and what difficult work it is.



Journal Assignment 1



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MEMORANDUM

To: Family Law Partners
Fr: _____, Associate
Date: March 5, 2011
Re: Journal Assignment 1- Allen Client Counseling

My counseling session with Dr. Allen focused on answering questions and concerns he had with paying maintenance to his wife. This was a sensitive topic because Mr. Allen clearly expressed that he “would rather give money to charity or anyone else” than give money to his ex-wife. Recognizing his strong feelings about this matter, I had a balance between letting him “vent” and explaining his legal obligations.

The hardest part of the meeting with having to tell Dr. Allen that he would not be able to get away with paying nothing to his wife and trying to explain the law in a receptive way. From the beginning of the session, Dr. Allen noted his concerns about his large child support payments, thinking about changing to a less paying job, and feeling as if he was giving everything to his ex-wife. I had to assure him that he was not losing everything and of all the factors in divorce, maintenance is where the parties have flexibility to negotiate. I told him facts he already knew (His \$300,000 salary versus his ex-wife’s \$30,000 income). I also made a point of drawing on how judges make their decisions and how such a large salary disparity between the parties make it very likely that his ex-wife was going to get maintenance. However, I tried to ease his concerns by saying that we could negotiate how long the maintenance would be provided and even use the house and parts of his business as bargaining points. I also remembered to tell him that maintenance is tax-deductible so while it seemed like a lot of money, there are some remedies. These facts seemed to ease some of his concerns. I tried to take his narrow and very important concerns and explain them in a broader legal strategy to help Dr. Allen understand that he had options.



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What surprised me the most was Dr. Allen's question about whether or not he should stay in the family home because there was some tension and he wanted to have more time with Norma. I was surprised by the questions because it seemed more about a personal choice and I was not sure how to answer it. I advised Dr. Allen to stay in his home, particularly because he could have more time with his children. The feedback I received from our supervising attorney was that I needed to be sterner in my advice to him—that I need to make it more a “command” that he stay rather than a “recommendation” that he stay. I was surprised that I needed to take a stronger stance. However, our supervising attorney made a very important point. She noted that by leaving the home, Dr. Allen would immediately lose the custody he had of his child, would have to start paying child support, and most importantly, was telling the world that his wife is capable of taking care of the children. I realized that my client's actions, even if to move out of the house, would have strong consequences to his legal case.

Overall, I felt prepared for the counseling session. I had two productive strategy meetings with my group where we were able to lay out all the legal issues and discussed Dr. Allen's strengths and weaknesses. The sessions were very helpful in preparing me for the counseling session because we had already worked out various strategies we could share with Dr. Allen. For example, I categorized his issues as: child custody, child support, maintenance, and property distribution. Under each category, I worked with my group to apply important facts under each category to determine how we could build a better “package” for Dr. Allen. We knew that he would have some difficulty getting full custody with his children but made a note to recommend that he develop his relationship with his daughter, Jane, in order to improve his chances of full custody. We also made calculations of his child support by applying his salary and Ms. Allen's salary to the statutory formula. Maintenance and property distribution were categories where I



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felt we could have more bargaining power. We all agreed that there was no doubt that Dr. Allen would have to pay maintenance because of his large salary but there was discussion about paying rehabilitative alimony, especially with the prospects that Lynn was going to make more money with her radio show. We also divided up the marital property to discuss with Dr. Allen and give him a better picture of what he would be getting and what could be bargained for out of maintenance.

I do think that there is room for improvement, particularly in the counseling itself. I think I need to be a little more direct in my recommendations with Dr. Allen. I know I am not “sugar-coating” the issues for him but I could be more direct in my delivery and anticipate that although he will be upset, it is part of the trust building process. Another learning point, which was brought up by our supervising attorney, was to tell the client that you will look into a concern of his even if you may think that it will not go too far. This was evident when Dr. Allen brought up getting as much as he could out of Lynn’s degree in the “marital pot.” During our planning, our group had agreed that Lynn’s degree may was not a very valuable asset in the property distribution discussion. Our supervising attorney made a point that validating your client’s concerns and ideas on how to take the case are very important in the initial counseling session because you want the prospective client to know that everything he says is important. Also there is no telling that the client may go to another attorney to seek advice and if that attorney seems more open to the client’s ideas, you can lose a client.

I liked the feedback I received from our supervising attorney. She stopped us at important parts of the counseling for valuable critique and an anecdote from her practice. Overall, I enjoyed this exercise and look forward to improving on the next one.



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Self Evaluation 1



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Client Counseling Evaluation Sheet

TO BE COMPLETED BY STUDENT ATTORNEYS:

Supervisor/
Professor: _____

Student Attorney:

Client: Dr. David Allen

PORTRAYAL OF CLIENT

Appeared to be well prepared as client

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
unsatisfactory	satisfactory		excellent

Acted appropriately & effectively

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
unsatisfactory	satisfactory		excellent

Where applicable to your assigned portion of the interview, please rate yourself in the relevant categories by using a scale from one to five points for each category:

- 5 = outstanding;
- 4 = very good;
- 3 = good;
- 2 = fair;
- 1 = needs work; or
- n/a = not applicable

NOTE: Please provide further explanation to your answers on the comment space.

CLIENT COUNSELING SESSION

Opening and Updating:

- 3 Greeted client appropriately
- 4 Confirmed facts from last meeting
- 4 Requested any new information

Comments:

Assessing the Client's Legal Position:

- 4 Clearly identified the legal issues
- 3 Clearly prioritized the client's interests and needs
- 4 Concise review and update/summary of client facts
- 3 Provided an objective and well reasoned summary
- 4 Appropriately recognized and responded to the non-legal facets of the client's case

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Discussing Options:

- 3_ Provided sufficient information to enable client to make decisions effectively _____
- n/a_ Explained all the different legal process choices (e.g., negotiation, mediation, litigation, etc.) _____
- 4_ Used language the client could understand _____
- 3_ Drew connections between the client's goals and preferences and the applicable legal process choices _____
- 3_ Informed client of the risks and benefits _____
- 4_ Listened to, received and properly answered all of the client's questions _____

Making Predictions:

- 3_ Took account of various factors _____
- 3_ Made a complete statement of legal assessment _____
- 3_ Sound description and evaluation of most probable options _____
- 3_ Sound statement of prediction as to the likelihood of success as to each option _____
- 3_ Accurately described what success means _____
- 4_ Alerted client to reasons for vague predictions _____
- 3_ Provided reasonably definite information, e.g., ranked options _____
- 4_ Explained factors underlying predictions _____

Assisting the Client in Making Decisions:

- 3_ Respected the client's decision making authority _____
- 3_ Matched goals and options _____
- 3_ Advised client appropriately _____
- 3_ Explained where no legal basis for a claim existed and if a certain option could not be exercised _____
- 3_ Summarized the client's legal options in order of the client's priority _____
- 3_ Reframed the risks and benefits of the client's choices, where necessary _____
- 3_ Combined options, if appropriate _____

Effective Handling of the Client's Challenge:

- 4_ Recognized and understood this challenge _____
- 4_ Acted ethically and effectively _____

Closing the Session:

- 3_ Explained what lawyer will do next _____
- 2_ Stated when lawyer will next contact client _____
- 2_ Stated what client will do next, as appropriate _____
- 3_ Provided appropriate reassurance _____



Professionalism:

- 3 Confident
- 4 Respectful
- 4 Articulate
- 4 Organized
- 4 Knowledgeable
- 4 Proper attire

COMMENTS: Please describe what worked for you and what did not work for you during this exercise. Also, describe the feedback that you received during this exercise and discuss whether or not you agree or disagree, including in your answer a detailed explanation as to why.

Feedback:

- Be more direct with the client, do not be afraid of telling client that you cannot pursue an issue or that the client should pay attention to his actions throughout the litigation process
- Write down everything and affirm client's opinions and recommendations, even if you know an issue will not go far
- Do not let the client leave your session freaked out. Assure them that you will do your best and he will not be left with nothing—that is what you are being hired to prevent
- Allow for some venting—it is also a counseling session. Then bring client back to building a strategy.

I agree with all the feedback

gave me. I thought it was very helpful and plan to use them in my next session.



Reflection on Hunter



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Reflections on The Hunter College Skills Exercise Day (Mar. 26)

Please answer the following questions:

1. What was the most significant learning experience you had that day?

Working with social work students in developing the theory of the case:

I really enjoyed this portion of the program, particularly because there was collaboration between the law students and social work students. It was interesting to break up the facts into "good facts" and "bad facts" and listen to who considered what was useful to the case and what could hurt us.

This was a significant learning experience because I was able to get some very interesting insight from the social work students particularly in regards to their role as "mandatory reporters." This discussion was raised when an ethics issue was thrown into our exercise. I found it interesting how two different professions view their role in "representing the client" and I realized how we can often conflict in the process but want the same goal.

2. What did you like least about the program?

I did not like that my social work student was not well prepared with the facts of the case. I felt that it was very unprofessional and unproductive to the overall exercise. I do not know how soon the social work students get their materials but I think that in order for the day to be useful to both parties, there must be a shared effort in preparation.

On the flip side however, I did use the social work's lack of preparedness as a learning moment. I recognize that in "real life" it is very likely that a witness may not be able to recollect facts very well or not understand a question, as a good attorney, I need to know how to ameliorate to that.

3. Please make one specific suggestion for improving the program.

I would have liked more practice doing cross and direct examinations. Perhaps we can each do 8 minutes of direct and 2 minutes of cross for one witness and then the same amount for another witness. The feedback I received was very helpful, if I was given a second opportunity to direct/cross, I could have applied the feedback I was given.

Having a portion where we can interview the social worker. I think this would give us another skill to practice and also give more practice for the social work students. It would not have to take long but can be part of the theory of the case exercise.



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Surrogacy Contract



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TO: Partner
FROM: The Associates

DATE: March 29, 2010
RE: Mary and Peter Yarrow

After review of the proposed surrogacy agreement, we recommend the following three issues for discussion:

I. Goals and Interests

It is recommended that a “goals and interests” section is included in the agreement. This section can provide the parties with a clear understanding of what they want out of the surrogacy agreement. This section can include the following goals and interests:

Mary and Peter Yarrow want to achieve the following goals in this surrogacy agreement:

1. Have Surrogate Mom carry their child.
2. Support Surrogate mother in ensuring she has a healthy pregnancy and birth.
3. Pay for Surrogate Mom’s medical and pre-natal expenses, travel expenses, and fees relating to the pregnancy and delivery of the baby.
4. Maintain full legal parental rights of the child born from the Surrogate Mom.

Surrogate Mom wants to achieve the following goals in this surrogacy agreement:

1. Carry a child for Mary and Peter Yarrow.
2. Receive financial support from Mary and Peter Yarrow to cover birth pre-natal expenses, travel expenses, and fees relating to the pregnancy and delivery of the baby.
3. Release full legal parental rights of the child to May and Peter Yarrow.

In order to facilitate the goals and interests of the surrogacy agreement as well as ensure everyone understands what they are entering into, the parties can include a counseling requirement. The counseling requirement can include the following language:

The Surrogate Family and the Parents agree to attend Counseling before implantation of the embryo. The Goal of the counseling is to insure that both parties are fully informed about the procedure and discuss any expectations. The Counseling will discuss among other things; potential attachment issues, Parents intentions and expectations of the Surrogate Family, Parties beliefs on such controversial issues as Abortion, and any fears or questions of Parties may have. The Counseling will take place at Simple Surrogacy in Dallas Texas or another mutually agreed upon agency. All the cost associated with the Counseling including expenses for the Surrogate Family to travel from Corpus Christi to Dallas will be will be covered by the Parents. The

Counseling Sessions will take place within one week of executing the contract. If the Surrogate Family refuses or is unable to attend the counseling, the contract will be terminated.

II. Formatting Issues

The agreement at issue is a standard form contract, which is generally not recommended for use in part because certain formatting issues exist. It is imperative that these issues be addressed so that all parties involved can properly ascertain their rights and obligations under this agreement.

The agreement is verbose, containing many lengthy paragraphs which may intimidate a reader. It appears as though the drafter recognized this issue and attempted to address it by inserting a *compensation and payment of expenses* subheading to separate the financial provisions from the remainder of the contract. This subheading properly breaks up the contract into smaller sections that may be more appealing to read and also allows the reader to navigate through the agreement with greater ease and understanding. However, this was not enough. There should be additional subheadings for all general topics of the agreement, to be addressed by roman numerals in all caps or some sort of differentiating font: (I) definitions, (II) parental rights, (III) the surrogacy process, (IV) obligations of the parties, (V) obligations of the parents, (VI) medical care, and (VII) compensation.

Prior to addressing the rights and obligations set out in the agreement, a definitional section should clearly define each party of the contract as well as all confusing or ambiguous language. For example, in the current agreement, the term *parties* refers to both Mary Yarrow, the surrogate, and Peter Yarrow, the surrogate's husband. However, often in contracts, the term *parties* refers to all individuals signing to the agreement. Confusion will be avoided if Mr. and Mrs. Yarrow are defined in another manner and the term *parties* will be used to refer to all individuals signing this agreement. Thus, the following terms should clearly and unambiguously be defined under the *definitions* subheading, unless certain terms are more properly addressed within the paragraph of its discussion:

- (a) The "agreement"
- (b) The "Genetic Mother"
- (c) The "Genetic Father"
- (d) The "Parents"
- (e) The "Surrogate"
- (f) The "Surrogate's Husband"
- (g) The "Surrogate Family"
- (h) "Physical custody"
- (i) "Parental rights"
- (j) "Custodial rights"
- (k) "Formal communications"
- (l) "Sexual intercourse"
- (m) "Embryo transfer"
- (n) "Embryo transfer request"



- (o) "Medical costs"
- (p) "Lost wages"
- (q) "Child care expenses"
- (r) "Medical procedures"
- (s) "Pain and suffering"

Finally, there is extensive repetition in the current agreement. Although repetition may be used as a technique to emphasize the importance of an issue being addressed, it also adds length to the contract as well as disorganization. Referring to issues in several places in the contract may even confuse the reader as to why this was done and may frustrate them when there is no logical explanation. For example, paragraphs 8 and 12 both address the surrogate's sexual activity. This information need only be addressed in one paragraph. Therefore, with the proper formatting, this agreement can be understood with greater ease. The intent, goals as well as rights and obligations of all parties will be easily ascertained.

III. Legal Issues

There are multiple portions of the Texas Law that have not been included within the current Surrogacy Agreement, which could potentially render the agreement invalid. Furthermore, some of the stipulations in the contract may need to be more specific in order that we do not run into any issues going forward. In order for the agreement to be enforceable, the court must validate the agreement before placement of the embryos. Below are some of the examples of legal issues that could potentially come up during the drafting of this agreement. In addition to being more specific with regards to certain clauses in the contract, we also must add other clauses such as a termination clause, a post birth clause as well as a severability clause. Example of legal issues that should be addressed: Rights and Relationships; Physician and Risks; Termination and Severability

Specifically, Paragraph 14 of the surrogacy agreement must be written in the following language: "If one portion of the contract is invalid for any reason, then the attorney for all parties will have 30 days to amend the invalid portion(s) of the agreement." The amendment must be made under a reasonable standard.

CONCLUSION

In conclusion, the three main issues addressed are goals and interest; formatting of the contract; and legal clarifications. In addition to the three issues, there are questions for the Parents that could be appropriately incorporated into the Surrogacy Agreement to protect the interests of all parties.

1. Please be aware that an amount has to be reasonable for the Courts to approve compensation for *pain and suffering*. Can advise an amount that you are comfortable with so that we may compare to prior awards?



2. How involved do you want to be in the Surrogate's health and nutrition choices? For example, do you want to make specific guidelines for maintaining health?
3. Would you like to be present at all medical visits prior to labor?
4. Does the Surrogate have insurance and what is her insurance coverage? If there is no insurance, would you be willing to cover the insurance costs?
5. It is suggested that the embryo be tested for disease prior to implantation.

We look forward to discussing these issues with the client.

Sincerely,
The Associates



Mediation Journal



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MEMORANDUM

To: Student Attorney
Fr: (David Allen)
Da: April 8, 2011
RE: Journal Assignment No. 3 – Allen Mediation Exercise

I felt very prepared for the mediation last Friday. I was a little nervous about how Lynn was going to act, because she is highly emotional, so I was happy when you explained that you bring up our “sensitive issues,” particularly Nora. You explained that Lynn would be there with her attorney and that a mediator was going to be present. I was not surprised by the set up of the mediation and felt comfortable throughout the whole process. I appreciated that we had the opportunity to meet before the mediation and you let me talk about what I wanted to get out of the mediation. I was most concerned with creating opportunities to build my relationship with my children, particularly with Jane. You asked me what I should expect out of Lynn and I was able to share how she is emotional and has been unwilling to cooperate on getting counseling for Jane and is very sensitive about Nora being around the kids. I was happy to hear the mediator begin the conversation with a note about confidentiality and “rule making.” I was a little surprised by that question but I appreciated it because I know how vocal Lynn could get.

I also appreciated having time to speak during the mediation and away from Lynn and her attorney. I was very frustrated when Lynn’s attorney said that Lynn wanted full custody of the kids and would not budge unless I cut off all communication with Norma. I was furious! From the beginning, I told you that I would agree to joint custody. Lynn was not interested in compromising and her “condition” was just ridiculous. I was about to lose it until you told me that we should step outside to talk. I appreciated this time to talk about a new game plan. I told you that I would not get rid of Norma but I still want custody of my children. We got to talk about my concerns and came up with a compromise: move to a apartment, without Norma, for



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six months, in which case I would be given joint custody and Norma would be more involved with the children's lives after the six month period. I think this was a good compromise and you were able to work it well into the mediation.

One of the difficult aspects of the mediation was opposing counsel mixing up the different between legal custody and legal law making decision. You explained it well to me but during the mediation, Lynn and her attorney kept using the terms interchangeably which was very confusing to me. It made it difficult for me to compromise to anything because I was not sure what they were really talking about. I appreciated it when you stepped in and kept reminding them the difference between the two terms.

The mediator was helpful particularly when Lynn kept on bringing up Nora even if that was one of our rules. He was able to remind us what we were doing at the mediation and how important it was to stick to the rules we set for ourselves. One concern I did have was that I felt the mediator was talking a little too much. He kept repeating things we were saying to each other which I understand is part of the process but it did get a little too involved.

During the mediation, I understood my role as being the one who leading the conversation and bringing up issues that were important to me. I was able to talk about my feelings and explain my position to Lynn and her attorney. It was a safe space to explain why I wanted Norma in my life, what I was willing to compromise in getting joint custody, and to hear were Lynn was coming from. Overall, the mediation was very helpful.

FEEDBACK:

I really like this exercise. I thought being the client was going to be easy but it was not, which was the point of the exercise. I really had to stay in character to make the exercise work and I enjoyed taking on a different personality. _____ was our supervisor so we got



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some great feedback from him. I think this was a very helpful exercise because we were already familiar with the case and its facts. I was concerned about not being “prepared” enough because I was not sure what to expect out of the mediation but I think this actually helped in my learning process. It was helpful to go over the problems and issues with my student-attorney and making a plan together. I also liked that we had mediators from the clinic partake in the exercise. It made the whole exercise feel more real.



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