



Resolution #12-08

The University Park Undergraduate Association (UPUA)

of the 2008 - 2009 Session

October 29th, 2008

Be it Enacted by the Association, having been considered by the Steering Committee, an

Resolution

Creation of Legal Services

(Decided: [Y/N/A])

Nature of the Problem:

Penn State once had a very basic form of legal services that lasted up until about three years ago (appendix 1). This service consisted of one legal advisor who served to offer only legal advice. The major flaw with this was that it was only a part time basis, and the proper set up was not in place to facilitate the needs of such a large student body. Even when Legal Services were offered at Penn State, the program quality lagged behind other peer institutions greatly (appendix 2). Currently there are no legal services of any kind at University Park, beyond Judicial Affairs cases and student legal advisors (appendix 3). When basic legal services did exist there was a clear need for services evident by the large amount of cases dealt with (appendix 4). Since the end of the basic legal services system, there has been the addition of the Dickinson School of Law at University Park, as well as the appointment of a Vice President for Student Affairs with a strong background in Legal Services and law. There is now a great opportunity to conjointly run comprehensive legal services with the Dickinson School of Law, Student Affairs and the University Park Undergraduate Association.

Recommended Course of Action:

Since the appointment of Vice President Sims on August 1st, President Gavin Keirans has aggressively been advocating for funding and support to properly start legal services that have longevity. In the time since August 1st, Keirans has had formal and informal contact with the Vice President for Student Affairs, the Dean of the Dickinson School for Law, President Spanier, law students, UPUA Legal Affairs, Graduate Student Association President, and internally within UPUA.

The funding and structure are dependent upon the Student Activity Fee Board (SAFB) authorizing the use of Student Activity Fee dollars for Legal Services. When this happens, UPUA will have the opportunity to go back to the University Park Allocation Committee (UPAC) or use funding from the 5 percent of the Student Activity Fee that UPUA is requesting be mandated by the SAFB. Which method used will depend on what is deemed the most appropriate for fulfilling short term funding for the start of the program this spring. In the long run, funding will come from the 5 percent of the Activity Fee that is allocated to UPUA.

The implementation of legal services is a three year approach, with the number and magnitude of cases escalating with time. For the purpose of this document, the 2008-2009 academic year will be referred to as short term, the 2009-2010 academic year as mid term, and the 2010-2011 academic year as long term.

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2 After researching other schools for best practices, and through various meetings, the following
3 guidelines have been deemed essential to have effective legal services:
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5 **Funding and Structure:**
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- 7 1. Will be jointly funded by UPUA, The Office for Student Affairs, with the Graduate Student
8 Association contributing a proportional amount
- 9 2. Short term set up of one (1) attorney, one (1) staff assistant and five (5) Dickinson Law Students
10 (interns)
- 11 3. Mid Term set up of two (2) attorneys, two (2) staff assistants and twelve (12) interns
- 12 4. Long Term set up of three (3) attorneys, two (2) staff assistants and sixteen (16) interns
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14 **Working List of Subject Matter of Cases:**
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16 Short Term to Mid Term

- 17 1. Tenant/Landlord
- 18 2. Lease Agreements
- 19 3. Deportation/ Immigration
- 20 4. Property Rights
- 21 5. Renter Issues
- 22 6. Debt and Loan
- 23 7. Credit Disputes
- 24 8. Signing Job Offers
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26 Mid Term to Long Term

- 27 1. Contacts (All Encompassing)
- 28 2. Summary Offenses
- 29 3. Wills
- 30 4. Non-Profit Status
- 31 5. Marriage/Divorce
- 32 6. Car Purchases
- 33 7. House Purchase
- 34 8. Bias and Discrimination
- 35 9. Rape/Sexual Assault/Domestic Abuse
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37 **Expected Costs (including Start Up):**
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39 **Salaries**
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41 Entry Level to Intermediate Legal Secretary Base Salary \$32,363-\$38,322 (salary.com 16801)

42 Entry Level to Intermediate Attorney \$81,588-\$104,710 (salary.com 16801)
43

44 Short Term

45 One Attorney- \$81,000-105,000

46 One Staff Assistant \$32,000-38,000

47 Five Interns- Credit

48 Combined Costs- \$113,000-\$143,000
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1 Mid Term

2 Two Attorneys- \$81,000-\$105,000 each

3 Two Staff Assistants- \$32,000-\$38,000 each

4 Twelve Interns- Credit

5 Combined Costs- \$226,000-\$286,000

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7 Long Term

8 Three Attorneys- \$81,000-\$105,000 each

9 Two Staff Assistants- \$32,000-\$38,000 each

10 Sixteen Interns- Credit

11 Combined Costs- \$307,000-\$391,000

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13 **Start Up**

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15 Office Space

- 16 1. UPUA Legal Affairs (Student Judicial Affairs Cases) and Legal Services house conjointly
- 17 2. Confidential Rooms
- 18 3. Conference Room
- 19 4. Three Offices (One to begin)
- 20 5. Room for Staff Assistants
- 21 6. Large Space for Interns

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23 Equipment/Costs

- 24 1. Copier/Fax/Printer
- 25 2. Conference Table
- 26 3. Chairs
- 27 4. Attorney Desks
- 28 5. Intern Area
- 29 6. Staff Assistant Area
- 30 7. Computers
- 31 8. Waiting Area
- 32 9. Book Shelves
- 33 10. Filing Cabinets
- 34 11. Cell Phones
- 35 12. Cell Phone Plans
- 36 13. Discretionary Operational Funds

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38 **Candidate Review**

- 39 1. The UPUA will work together with the Office of Student Affairs and the Dickinson School of Law to
- 40 help use their expertise in finding appropriate attorneys
- 41 2. All candidates must go through an initial screen process of an interview by the leadership from UPUA,
- 42 Dickinson and Student Affairs
- 43 3. All candidates must be approved by the UPUA General Assembly, the Vice President for Student
- 44 Affairs and the Dean of the Dickinson School of Law
- 45 4. Each of the three parties may create their own interview process, with the focus being on an
- 46 effectiveness and efficiency
- 47 5. UPUA can not stop funding to the program unless by $\frac{3}{4}$ vote of the assembly
- 48 6. The assembly can vote to cut back or expand funding by $\frac{2}{3}$ s vote
- 49 7. Lawyers or Staff Assistants can not be released unless by $\frac{3}{4}$ of the assembly at which time the Lawyer or
- 50 Staff Assistant will be given three weeks notice of their termination

8. There must be substantial evidence including at least three substantiated complaints to UPUA in order to begin the removal process
9. All formal complaints must be submitted and substantiated by the UPUA Board of Arbitration in order to be considered valid
10. If a complaint is substantiated, the Lawyer or Staff Assistant must be notified within seven (7) business days

Program Evaluation and Review

1. After each initial consultation students are required to fill out an online survey before exiting, the results of which be used in making evaluations
2. After a case is closed or halted the student is also required to fill out a survey
3. Lawyers and Staff Assistants report to the UPUA President as well as the Vice President for Student Affairs through an organic relationship
4. Neither party (VP of SA or UPUA President) is to be involved in day to day decision making beyond initial start up
5. The lawyers will meet with the UPUA President bi-weekly during the academic year and monthly during the summer months at minimum
6. Every a two months a board will meet of Student Affairs, Dickinson and UPUA, with the purpose being to get updates on the program, with information such as success rates and number of case, it is not meant to be a decision making board of any kind
7. Each year the UPUA will offer an evaluation ranging from Supreme Confidence, Confidence, Lacking Confidence, and No Confidence for each person employed in the Legal Services

Be it Resolved, that the UPUA calls for the immediate planning and implementation of the guidelines set out in this document, and believes that this is essential to Penn State reaching the needs of the student body.

Respectfully Submitted,
 Gavin Keirans,
 UPUA President

Committee Vote: Brought t o Floor by 2/3s Signature of the Overall Chairman:

Affirm

Gavin Keirans

Veto

The University Park Undergraduate Association