

Northeastern University School of Law
Public Interest Requirement

1. All students must fulfill a public interest requirement, as defined herein, as a condition of graduation.

2. (a) The requirement may be fulfilled in any of the following ways: completing a Co-op in a public interest setting; completing one of *the* Law School's public interest clinical offerings; performance during the second semester of the first year or during the second and third year of a total of 30 hours of uncompensated legal work in a public interest setting; or, completion of an independent study project of at least 3 credits if, in the opinion of the supervising faculty member, the project substantially fulfills the objectives of this rule. If exceptional financial need or other exceptional cause prevents completion of the requirement in one of the listed ways, a waiver may be granted by the Academic Committee upon a showing of good faith and persistent effort to obtain placement in compensated public interest co-ops, Law School clinical courses, and independent study opportunities.

(b) The Law School believes every graduate should have had the experience of representing or assisting in representing a client in a no-fee, public interest setting. Students are strongly encouraged to fulfill the requirement in a manner consistent with this goal.

3. The requirement will first apply to students entering in the Fall Quarter, 1994. Current students will be encouraged to participate on a voluntary basis.

4. The Academic Committee, in consultation with Co-op and Career Services, shall have primary responsibility for administration of this rule. The Academic Committee shall develop interpretative guidelines for the assistance of students and a list of preapproved, qualifying public interest experiences. Students shall have the right to petition for inclusion of other placements on the list.

5. The Law School will make appropriate resource commitments in furtherance of this rule including but not limited to appropriate allocations to develop public interest placements and the creation of a part-time public interest coordinator position as recommended by the Task Force.

6. (a) Within this rule, "public interest" and "public interest setting" are defined in terms of the two primary purposes of the rule, which are (1) educational: to expose all students to the legal, strategic, institutional, interpersonal, and ethical issues involved in counseling and representing systematically underrepresented groups; and (2) justice: to improve the access of the underrepresented to legal services by supporting service providers to those groups and by encouraging law students to consider careers in service to such groups.

(b) "Public interest" as defined herein does not refer to a judgment on the social value of the matter or matters to which a student is assigned; it refers to the dominant characteristics of the practice setting in which the student is placed. Thus, a fee-generating, general practice or business firm does not qualify as a public interest setting even if the student is assigned to a pro

bono case or cases, unless the student is placed on the express understanding that he/she will work exclusively on a public interest matter the firm has undertaken pro bono. Likewise, a placement that substantially fulfills the criteria and purposes of this rule is not disqualified because the student is assigned to work on matters that could be criticized as socially counterproductive.

(c) “Public interest” under this rule is employment or service with a government agency; a legal aid, legal services, public defender, victim advocate, or similar agency; an organization or attorney advocating law reform or performing pro bono legal representation; or any placement the dominant characteristic of which is service to underrepresented groups. Judicial clerkships and private firms operated for profit are not included in this definition.

Legislative History

The Public Interest Requirement (herein, “the Rule”) was adopted by the Faculty at its meeting on February 4, 1993, after extensive debate. The resolution was adopted subject to the presentation by the Law School administration of an “impact statement” as to methods of implementation and potential costs. No formal document was prepared, but Dean Givelber and others expressed and explored a variety of administrative and pedagogic concerns in subsequent meetings and memoranda, so that the impact-statement condition was deemed fulfilled.

The policy was finally and formally adopted at a plenary session of the Law School Advisory Council, predecessor to the current Governing Council, on April 29, 1993.

The Rule is specifically referenced in the Law School Charter 2001, Article II, section 7(1)(c) which provides, inter alia, that the Charter supersedes anything to the contrary that may appear in Section 4 of the Rule. The Charter provides for administration of the Rule in the first instance by a permanent committee of the Governing Council, the Public Interest Requirement Committee (herein “PIRC”). A copy of Article II, section 7(1)(c) is attached.

The Rule was amended by the Governing Council on January 15, 2004, on a motion offered by PIRC, attached hereto. The amendments inserted certain language in section 2 of the Rule. The inserted language is indicated by *italics* in the above text.

Excerpt from Law School Charter 2001

Section 7. Council Committees. (1) The following shall be standing committees of the Council and shall report to it from time to time:

- (c) *Public Interest Requirement Committee* - Chaired by a member of the administration appointed by the Dean, this committee is charged with administration of the Public Interest Requirement adopted by the Advisory Council on April 29, 1993, as it shall be from time to time amended (herein, “the Public Interest Requirement Rule”). Decisions of the Public Interest Requirement Committee may be referred for review and further action to the Chair of the Committee on Academic, Curriculum, and Student Life in consultation with her/his Committee. Anything to the contrary in Section 4 of the Public Interest Requirement Rule is hereby superseded.

Motion submitted to the Governing Council by the Public Interest Requirement Committee

1. "Public Interest Requirement" refers to the Faculty's resolution of February 4, 1993, as adopted by the Law School Advisory Council (predecessor to the Governing Council) on April 29, 1993, as amended.
2. Section 2(a) of the Public Interest Requirement is hereby amended by inserting after the word "during" in the clause pertaining to performance of 30 hours of uncompensated legal work, the following language: "the second semester of the first year or during".
3. The said section 2(a) is further amended by inserting the word "the" before the phrase "Law School's public interest clinical offerings".
4. These amendments shall take effect immediately.

This motion was adopted by the Governing Council, voting 18-1, at its meeting of January 15, 2004.

In adopting the motion, the Governing Council expressed its sense that (1) PIRC shall appropriately amend its interpretive guidelines on the Rule to make clear that 30-hour projects require pre-approval and that the pre-approval requirement will be enforced without exception in the case of proposals for first-year projects; (2) that PIRC should study and keep the Governing Council apprised of experience under the amendments, with respect particularly to the problem of the adverse effects, if any, of volunteer projects on conventional, first-year academic studies.