

LEGAL AID STUDIES Syllabus

Winter Term 2024

Elective course

Instructor Information

Instructor	Email	Office Location § Office Hours
JUDr. Mária Havelková, PhD.	maria.havelkova@uniba.sk	No. 210, Tuesday 14 - 15 PM

General Information

Legal Discipline	Administrative Law
Educational Level	BA
Number of students	50

Description

Legal Aid Studies is an elective course available to 2nd and 3rd-year BA students, including both home and visiting students. The central focus is on the right to legal aid in civil matters, with an emphasis on the international aspects of legal aid and an overview of different legal aid systems around the world. The course consists of three parts: interactive lecture sessions, group work, and presentation sessions. In the context of the topic of access to legal aid, the course aims to enhance students' legal writing and presentation skills.

Expected Learning Outcomes

After this course, students can:

- recognize and explain the importance of the right to legal aid as a fundamental human right, the impact of the EU and the Council of Europe on the concept of the right to legal aid and the difference between systems of legal aid in criminal and civil matters;
- demonstrate knowledge a legal aid system in his or her home country;
- compare different legal aid systems;
- identify and evaluate the shortcomings of the legal aid systems;
- Identify benefits of Pro Bono work for society, legal profession, law firms and individual lawyers.

Assessment Criteria

30 %	Activity during Lectures
20 %	Reflective Paper
40 %	Group Presentation
10 %	Peer Assessment

Grading Policy and Scale

A 91 – 100 % **B** 81 – 90 % **C** 73 – 80 % **D** 66 – 72 % **E** 61 – 65 % **FX** 0 – 60 %

Policy on Absences

It is important that you attend and participate in class, as we meet only 8 times during the semester. Missing a class represents a substantial portion of the semester. If you have special circumstances that require you to be absent, please email me in advance.

Academic Integrity

Integrity, honesty, and responsibility are cornerstones of scholarship and your future legal practice. Any form of plagiarism will not be tolerated. If you have any questions or concerns about what constitutes academic misconduct, please do not hesitate to contact me.

COURSE MATERIALS

Required Materials

Barendrecht, M., Kistemaker, L., Scholten, H. J., Schrader, R., Wrzesinska, M. (2014) *Legal Aid in Europe: Nine Different Ways to Guarantee Access to Justice? The Hague Institute for Internationalisation of Law*. Tilburg: University of Tilburg. [selected chapters]

Flynn, A., Hodgson, J. (Eds.) (2017) *Access to Justice and Legal Aid: Comparative Perspective on Unmet Legal Need*. Oxford: Bloomsbury publishing PLC. [selected chapters]

Hammerslev, O., Rønning, O. H. (Eds.) (2018) *Outsourcing Legal Aid in the Nordic Welfare States*. Cham: Palgrave Macmillan. [selected chapters]

Kerrigan, K., Murray, V. (2011) *A Student Guide to Clinical Legal Education and Pro Bono*. Basingstoke: Palgrave MacMillan. [selected chapters]

Granfield, R. (2007) The Meaning of Pro Bono: Institutional Variations in Professional Obligations among Lawyers. *Law & Society Review*, 41(1), 113-146.

Jüriloo, K. (2015) Free Legal Aid – a Human Right. *Nordic Journal of Human Rights*, 33(3), 203-219.

Optional Materials

Eichelbaum, M. (2019) *The Legal Aid Lawyer*. Pennsauken: BookBaby.

Global Study on Legal Aid (2016) Global Report. United Nations Development Programme. New York: United Nations.

Making Legal Aid a Reality (2009) A Resource Book for the Policy Makers and Civil Society. Budapest: The Public Interest Law Institute.

Szente, Z., Lachmayer, K. (Eds.) (2016) *The Principle of Effective Legal Protection in Administrative Law. A European Comparison*. London: Taylor & Francis Ltd.

Required Case-Law

Gideon v. Wainwright, 372 U.S. 335 (1963)

Lassiter v. Department of Social Services, 452 U.S. 15 (1981)

Airey v. Ireland, 6289/73 ECtHR (1979)

Golder v. the United Kingdom, 4451/70 ECtHR (1975)

McVicar v. the United Kingdom, 46311/99 ECtHR (2002)

Mikhaylova v. Russia, 46995/08 ECtHR (2015)

Steel and Morris v. the United Kingdom, 68416/01 ECtHR (2005)

Course Schedule

Week	Format	Topic
Week 1	Interactive Lecture	Introductory Session
Week 2	Interactive Lecture	The right to Legal Aid as a Fundamental Human Right
Week 3	Interactive Lecture	The right to Legal Aid in the Slovak Republic
Week 4	Interactive Lecture	Pro Bono and Social Responsibility of Lawyers
Week 5	Interactive Lecture	Discussion with American Lawyer Wendell Goddard
Week 5 - 8	Out of Class Group Work	
Week 9 -11	Group Presentations	