Navigating the Urban Food, Farm & Agriculture Law Practicum

Below is a non-exhaustive summary of the process that is followed when a prospective client wishes to retain the Michigan State University College of Law Urban Food, Farm & Agriculture Law Practicum to complete legal services on its behalf.

**Step One: Outreach**

- Students from the Urban Food, Farm & Agriculture Law Practicum ("Clinicians" or “Student Clinicians”) will connect with members of the community through hosting and/or attending a variety of events including but not limited to: farmers markets, educational seminars, and conferences located throughout Detroit and neighboring communities. During these outreach events, Student Clinicians will inform potential clients of the legal services provided by the Practicum, distribute informational brochures, and provide members of the community with business cards listing the address, email address, and telephone number of the Practicum.

- If a member of the community knows he or she is in immediate need of legal services, he or she will be able to acquire, complete, and submit a Client Application at the outreach event. The Client Application requires basic contact information about the prospective client to enable the Practicum to contact the prospective client and asks the prospective client to describe his or her particular legal needs.
  - If a potential client completes and submits a Client Application at the outreach event, he or she can skip Step Two and proceed to Step Three of this instructional list.

**Step Two: Client Application**

- For members of the public who are interested in obtaining legal assistance from the Practicum but have not attended an outreach event described in Step One of this instructional list, they are able to request legal assistance from the Practicum by completing a Client Application and submitting it to the Practicum via the United States Postal Service, facsimile, or email. Client Applications are available on the Michigan State University College of Law’s Legal Clinics Website, http://www.law.msu.edu/clinics/food/index.html.
Step Three: Introduction and Retainer Agreement

- Once a Client Application has been submitted to the legal Practicum at an outreach event or via the United States Postal Service, facsimile, or email, it is reviewed by one of the Practicum’s Supervising Attorneys and then distributed by that attorney to either a second or third year Student Clinician who will be responsible for that prospective client’s legal matter for the duration of the academic semester (August – December; January-May).

- Within seven (7) days from receiving the Client Application from the Supervising Attorney, the Student Clinician will contact the prospective client via the United States Postal Service, telephone, and/or email to introduce him or herself, provide the potential client with the Student Clinician’s working hours at the Practicum, and verify the prospective client still needs legal assistance.

  o If the prospective client agrees he or she is still in need of legal assistance from the Practicum, the Student Clinician will send the prospective client, via the United States Postal Service or email, a formal introductory letter and Retainer Agreement for an Initial Consultation that must be signed by the prospective client and returned to the Clinic via the United States Postal Service, email, or facsimile within two-weeks (14 days) from the date the Retainer Agreement was sent to the prospective client. The Retainer Agreement is a legal agreement between the prospective client and the Practicum and enables the Practicum to hold an initial meeting with the prospective client (“Initial Consultation”) to obtain an understanding of the prospective client’s legal needs and determine whether the Practicum is able to provide the prospective client with legal representation.

  - If the prospective client returns the Retainer Agreement within two-weeks (14 days) from the date the Retainer Agreement was sent by the Student Clinician to the prospective client, the Student Clinician will proceed to Step Four of this instructional list.

  - If the prospective client does not return the Retainer Agreement to the Practicum within two-weeks (14 days) from the date the Retainer Agreement was sent by the Student Clinician to the prospective client, the Student Clinician will send the prospective client, via the United States Postal Service, or via email, a “Failure to Retain” letter. A Failure to Retain letter is a letter verifying the prospective client has not retained and does not wish to retain the Practicum to complete legal services on the prospective client’s behalf.

- When the prospective client receives a Failure to Retain letter, he or she can either:

  o Do nothing and acknowledge the Practicum has no obligation to provide the prospective client with legal services, or
- Decide at a later time he or she wants to receive legal services from the Practicum, and return to Step Two of this instructional list and submit a new Client Application to the Practicum for legal services.

- If the prospective client informs the Student Clinician he or she does not need legal assistance from the Practicum, the Student Clinician will send the prospective client, via the United States Postal Service or via email, a letter verifying the prospective client has not retained and does not wish to retain the Practicum to complete legal services on the prospective client’s behalf. This letter is called a “Failure to Retain.”
  - When the prospective client receives a Failure to Retain, he or she can either:
    - Do nothing and acknowledge the Practicum has no obligation to provide the prospective client with legal services, or
    - Decide at a later time he or she wants to receive legal services from the Practicum, and return to Step Two and submit a new Client Application to the Practicum for legal services.

**Step Four: Schedule an Initial Consultation**

- If the potential client returns the Retainer Agreement to the Practicum within two-weeks (14 days) from the date the Retainer Agreement was sent by the Student Clinician to the prospective client, the Student Clinician will contact the prospective client on the date the Student Clinician receives the signed Retainer Agreement to set up an Initial Consultation. The Initial Consultation is a meeting between the prospective client and the Student Clinician held at either our Detroit or East Lansing location, where the Student Clinician works to obtain an understanding of the prospective client’s legal needs and determine whether the Practicum is able to provide the prospective client with legal representation.

- If the prospective client and Student Clinician are unable to hold the Initial Consultation within two-weeks (14 days) from the date the Student Clinician receives the prospective client’s signed Retainer Agreement, the Student Clinician will send the prospective client a Failure to Retain letter verifying the prospective client has not retained and does not wish to retain the Practicum to complete legal services on the prospective client’s behalf.
  - When the prospective client receives a Failure to Retain, he or she can either:
    - Do nothing and acknowledge the Practicum has no obligation to provide the prospective client with legal services, or
- Decide at a later time he or she wants to receive legal services from the Practicum, and return to Step Two and submit a new Client Application to the Practicum for legal services.
  - If the prospective client and Student Clinician are able to schedule the Initial Consultation within two-weeks (14 days) from the date the Student Clinician receives the prospective client’s signed Retainer Agreement, move to Step Five of this instructional list.

**Step Five: Hold Initial Consultation**

- At the Initial Consultation, Student Clinician will meet with the prospective client in a private setting located at either the Practicum’s Detroit or East Lansing location, to obtain an understanding of the prospective client’s legal needs and determine whether the Practicum is able to provide the prospective client with legal representation.
- Within seven (7) days from the date the Initial Consultation between the Student Clinician and the prospective client concludes, the Student Clinician will meet with the Supervising Attorney to determine whether the Practicum is able to provide prospective client with the requested legal representation, and send the prospective client, via the United States Postal Service or via email, a written summary of the meeting and a description of the next steps to follow.
  - If the Student Clinician and the Supervising Attorney agree to represent prospective client and assist prospective client with his or her legal needs, the Student Clinician will send the prospective client, via the United States Postal Service or email, a Letter of Release, releasing prospective client from the initial meeting and evidencing the conclusion of the initial meeting, and a Retainer Agreement for the agreed upon legal services. The prospective client must sign the Retainer Agreement for the agreed upon legal services and return the Retainer Agreement to Student Clinician via the United States Postal Service, email, or facsimile, within two-weeks (14 days) from the date the Retainer Agreement was sent to the prospective client.
    - If the prospective client does not return the Retainer Agreement to the Practicum within two-weeks (14 days) from the date the Retainer Agreement was sent by the Student Clinician to the prospective client, the Student Clinician will send the prospective client, via the United States Postal Service, or via email, a “Failure to Retain” letter. A Failure to Retain letter is a letter verifying the prospective client has not retained and does not wish to retain the Practicum to complete legal services on the prospective client’s behalf.
  - When the prospective client receives a Failure to Retain letter, he or she can either:
Do nothing and acknowledge the Practicum has no obligation to provide the prospective client with legal services, or
Decide at a later time he or she wants to receive legal services from the Practicum, and return to Step Two of this instructional list and submit a new Client Application to the Practicum for legal services.

- If the prospective client returns the Retainer Agreement to the Practicum within two-weeks (14 days) from the date the Retainer Agreement was sent by the Student Clinician to the prospective client, the prospective client will be considered a client of the Practicum and the Student Clinician will be able to begin working on the client’s legal matter and the rules contained within Step Six of this instructional list will apply.

**Step Six: The Attorney-Client Relationship**

- During the course of the relationship between the Student Clinician and the client, the client must respond to the Student Clinician in a timely fashion and may be subject to the Practicum’s termination of the Retainer Agreement if the client fails to cooperate with Student Clinician during the course of the academic semester.
- If the client cooperates with the Student Clinician on a complete and regular basis and the Student Clinician is able to complete the legal work agreed upon between the Student clinician and the client, the Student Clinician will send the client a “Letter of Release” and the final product (if applicable). The Letter of Release is a letter memorializing the conclusion of the attorney-client relationship due to the Student Clinician’s completion of the client’s requested legal services.
- If, after making numerous attempts to communicate with the client, the Student Clinician is unable to receive complete cooperation from the client, the Student Clinician will inform the client, via United States Postal Service or email, of a date in which the client’s lack of cooperation will be determined by the Practicum as a breach of the Retainer Agreement. If client does not cooperate with the Student Clinician by the date stated in the Student Clinician’s communication to the client, the Student Clinician will send the client a Letter of Release. The Letter of Release will explain the Practicum is releasing the client from the attorney-client relationship due to the client’s failure to cooperate with the Student Clinician.
  - When the prospective client receives a Letter of Release, he or she can either:
o Do nothing and acknowledge the Practicum has no obligation to provide the prospective client with legal services, or

o Decide at a later time he or she wants to receive legal services from the Practicum, and return to Step Two of this instructional list and submit a new Client Application to the Practicum for legal services.