



Fostering Social Justice Through Managing Civil Law Clinic In Indonesia: A Comprehensive Framework And Practice

I Gusti Ngurah Parikesit Widiatedja

International Law Department Faculty of Law Udayana University, Indonesia.

E-mail: ngurahparikesit@gmail.com

ABSTRACT

The development of Clinical Legal Education (CLE) in Indonesia will significantly contribute for graduating more competent and more professional students as it equally combines knowledge, skills and value that reflects what lawyer do (practical skill), what lawyer should do (value), and how lawyer should do (knowledge) in legal cases. As a part of CLE, the existence of civil law clinic plays important role for enhancing the competency of law students. Nationally, some aspects of civil law significantly contribute to the fulfillment of basic human need in Indonesia. Specifically, contract law, family law, employment law, and consumer protection. Internationally, as an undeniable impact from globalization in Indonesia, this process requires harmonization of law that has adopted new concepts, practices, and legal institutions in Indonesia. Maintaining its existence, law schools in Indonesia should manage civil law clinics by designing planning stage, learning stage, and reflection stage. Planning stage consists: developing the objective; formulating Curriculum, preparing clinic member; organizing clinic in day-to-day basis; and establishing clinic Assessment and grading criteria. Next, in learning stage, it should combine the process of transfer of knowledge, skills, and values. Lastly, it should contain journaling, feedback and debriefing as a reflection stage. As a result, the existence of civil law clinic will foster social justice as an ultimate vision of clinical legal education in Indonesia.

Keywords: Authority; Constitutional Court; Election; Election Law.

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INTRODUCTION

It is unmistakable that the existence of Clinical Legal Education (CLE) for Indonesia is very salient for transforming the conservative concept and style of legal education in Indonesia that has resulted in less competent and less professional graduates. It is because the lack of practice during school time as a professional and responsible lawyers. Moreover, the method of teaching is predominantly focused in transfer of knowledge rather than transfer of skills and value.

Some other countries face similar problems before the establishment of law clinics. In the United States, most law schools were not committed to preparing students for

practice as they could be and should be.¹ In Japan, law clinic can be a bridge between theory and practice because law schools did not provide law students with the specialized qualities and capacity required for legal professionals to take direct responsibility for the 'rule of law'.² In India and Southeast Asian countries, law faculties only focus on the academic study of law rather than training in lawyering skills or value.³

Through CLE, law students gain practical skills and deliver legal services in a social justice environment because they are confronted with real-life situations and play the role of lawyers to solve legal problems.⁴ Furthermore CLE methods are important in moving legal education beyond the understanding of legal principles and rules towards a focus on issues of justice especially because law students need opportunities to learn how to act as ethical professionals.⁵ At its best, CLE extends a student's learning beyond the point where the classroom stops. The task of "learning to think like a lawyer" is extended to include an effort to integrate the student's interpersonal, analytical, and advocacy skills, with his credibility, values and work habits to form a professional identity.⁶

As a part of CLE, the existence of civil law clinic plays important role for enhancing the competency of law students. Nationally, some aspects of civil law significantly contribute to the fulfillment of basic human need in Indonesia. For instance, contract law, family law, employment law, and consumer protection. Internationally, as an undeniable impact from globalization in Indonesia,⁷ this process requires harmonization of law that has adopted new concepts, practices, and legal institutions in Indonesia. Consequently, civil law clinic should equally combine knowledge, skills and value that reflects what lawyer do (practical skill), what lawyer should do (value), and how lawyer should do (knowledge) in civil cases.

¹ Roy Stuckey, *Best Practices for Legal Education*, (United States: Clinical Legal Education Association, 2007), p.19

² Peter A. Joyd, Shigeo Miyagawa, Takao Suami, Charles D. Weisselberg, *Building Clinical Legal Education Programs in A Country Without A Tradition of Graduate Professional Legal Education: Japan Educational Reform As A Case Study*, *Clinical Law Review*, Vol. 3 No.1, 2006, p.417

³ Bruce A Lasky and M.R.K Prasad, *The Clinical Movement in Southeast Asia and India* in Frank S.Bloch (Ed) *The Global Clinical Movement: Educating Lawyers for Social Justice*, (New York: Oxford University Press, 2011), p.37.

⁴ Hugh Brayne, Nigel Duncan and Richard Grimes, *Clinical Legal Education: Active Learning in the Law School*,(London:Blackstone Press, 1998), p. 1

⁵ Jeff Giddings, *Promoting Justice Through Clinical Legal Education*, (Melbourne: Justice Press, 2013), p. 3.

⁶ Suellyn Scarnecchia, The Role of Clinical Programs in Legal Education, *Michigan Bar Journal* Vol.77, 1998, p. 674

⁷ For instance, Indonesia has enacted 27 laws which concerning to the economic liberalization, started from Law No.10 of 1998 concerning Banking Systems, Law No. 8 Of 1999 concerning Consumer Protection, Law No.36 of 1999 concerning Telecommunication, Law No.30 of 1999 concerning Arbitration Council, Law No.30 Of 2000 concerning Trade Secret, Law No.32 of 2000 concerning Electronic Circuit Design, Law No. 14 of 2001 concerning Patent, Law No.15 of 2001 concerning Trademark, Law No.19 of 2002 concerning Copyright, Law No.25 of 2007 concerning Investment, Law No. 40 of 2007 concerning Limited Liability Company, Law No. 11 of 2008 concerning Electronic Transaction, and Law No.10 of 2009 concerning Tourism.

This chapter explains the comprehensive steps to manage civil law clinics that comprise planning stage, learning stage, and reflection stage. Moreover, the comprehensive strategies that cover short, middle, and long-term try to identify and predict the applicable way for managing civil law clinics in order to foster social justice in Indonesia.

METHOD

This study uses descriptive analytical methods, aims at analyzing about the Fostering Social Justice through Managing Civil Law Clinic in Indonesia: A Comprehensive Framework and Practice

DISCUSSION

Planning Stage

Developing the Objective

The development of objective can guide and secure the implementation of civil law clinic in Indonesia. This objective can determine an effective learning process, maintain a primary focus, establish well-structured administration, and measure its success or failure.⁸ In most countries, the objective of CLE is to teach law students practical legal skills in a social justice setting. Social justice refers to the fair distribution of health, housing, welfare, education and legal resources in society. Social justice is concerned with satisfying what indigent people need rather than what they want. Therefore, CLE plays a valuable role in this respect as it provides legal advice and remedies to those that would otherwise not be able to afford it.⁹

Based on those explanations, the objective of civil law clinics in Indonesia should be related to fostering social justice through the implementation of pro bono effort and legal aid contribution to the society. Moreover, the social justice vision expressly complies to the Pancasila that is the five guidance principle of Indonesian life.¹⁰ There are several principles that should be included to confirm that the civil law clinic can consistently promote social justice. Firstly, promoting accessibility, meaning civil law clinic can eliminate barriers that impede people from understanding and exercising their rights. Next, ensuring fairness, meaning civil law clinic can deliver fair and just outcomes for all parties, including those facing financial and other disadvantages. Then, increasing efficiency, meaning civil law clinic can deliver fair and just outcomes effectively, without waste or duplication.¹¹

⁸ Stuckey, *op.cit* p. 20.

⁹ *Ibid.*

¹⁰ The Pancasila consist the following: Believe in God, nationalism, humanity, democracy, and social justice.

¹¹ Shelley M. Liberto Access To Justice in Iraq: From baghdad to Orange County, *Orange County Lawyer* VOL.55 2013, p.3

Formulating Curriculum

The curriculum of civil law clinic should equally develop knowledge, skills, and values that integrate the teaching of theory, doctrine, and practice. Next, it should refer to the national and local curriculum in order to gain legitimacy and sustainability in society. Equally important, it should also accommodate and predict what clients and workplace needs.

The curriculum should cover planning component, experimental component, and reflection. In planning component, the curriculum should provide a complete theory and concept of civil law depending on the primary concern of each faculties, the clients and workplace needs. Specifically, the civil law clinic has established in Bali to accommodate the presence of foreign people and entities because Bali is a tourism area. Hence, the curriculum of civil law clinic cover the nature of international contract, the land regulation for foreigner, the investment law procedure, and the arbitration procedure.

In experimental component, the curriculum should instruct the students on particular tasks or responsibilities, such as judging, mediating, counseling, representing individuals or groups in adversarial civil proceedings, representing individuals or groups in non-adversarial contexts, representing individuals or groups in various kinds of transactions, or educating groups about law and the legal process.¹² For instance, how to practice as a mediator in divorce case as mediation is mandatory process in Indonesian civil procedure, how to assist consumer who become the victim from fraudulent business practice, how to advocate small-medium businessman who wants to register his trademark or copyright, how to advocate employ who become a victim of wrongful termination.

In reflection, the curriculum should cover the way students can identify and analyze their strengths and weaknesses in every task and responsibilities both in planning and experimental component. Giving feedback and critique, conducting questioner, writing weekly or monthly journal are the example of method that are applicable for evaluating the clinic.

Preparing Clinic Member

In the implementation phase, the collective of action of clinic member will determine how effective is the existence of civil law clinic. Therefore, the establishment of this clinic should carefully decide who are the clinical members that are clearly regulated by clinical bylaw that provide clear job description between all clinic members.

Firstly, the civil law clinic should establish the steering committee to take the planning process leading to the setup of the clinic forward. It is important that this steering committee include all members who have a direct interest in the clinic, or will be

¹² Deborah Maranville, et.al. Re-vision Quest: A Law School Guide to Designing Experiential Courses Involving Real Lawyering, *New York Law School Law Review* Vol. 56, 2011, p. 517-28

affected by the clinic.¹³ This committee can involve senior law professor and partner representative that can be private attorney, public notary, or professional mediator or arbitrator. Next, the clinic should provide management team that manages the clinic on a day-to-day basis. The team is usually small, about two to three people, and must consist of at least the head of the clinic, and office bearer in charge of finances.¹⁴

As a part of supervision process, civil law clinic should establish a board of control that ultimately responsible for the clinic's operation and for its financial wellbeing. In a university setting the board of control usually consists of the head of the clinic and staff members of the law faculty designated by the law faculty board.¹⁵ Then, it is advisable for every clinic to have an advisory board consisting of selected people who have expertise in all aspects of law clinic management and policy.¹⁶ Finally, the clinic should prepare staff and administrator that take responsibility in financial control, equipment management, and student and file administration.¹⁷

For the teachers of civil law clinic, it can involve the combination between law professor and law practitioners especially related to civil law such as private attorney, public notary, mediator and arbitrator. Law professor can deliver material in the planning component that mainly focused on legal theory and concept. Meanwhile, law practitioners can deliver material in the experimental component that is more focus on legal skills and value.

Clinic Organization

This section explains the location of the clinics, the relationship with law faculty, the numbers of students including selection process, the status of the clinic, the potential supervisors, and the externship programs. For the location of clinic, campus law clinic is one of the best locations that can be more accessible to law students and staff than off-campus clinics. For the relationship with law faculty, the civil law clinic may operate as an independent entity, with its own constitution, budget and legal status. On the other hand, the law clinic may be a sub-division or department of another body in the law faculty.

The ratio of students that joint in a civil law clinic, together with the staff-student ratio of supervisors to students, may have a significant effect on how a clinic can function without comprising service standards. Therefore the range from 15 to 20 students is the most appropriate number for civil law clinic. For the selection process, the clinic member should consider academic merit and social justice commitments from all candidates.

For the status of the clinic, each students during study term, should take clinic class, and civil law clinic is one of the options. The duration of civil law clinic can be for two

¹³ David Mcquoid Mason and Robin Palmer, *African Law Clinicians' Manual*, (Durban: Institute for Professional Legal Training, 2013), p. 41

¹⁴ *Ibid.* 43.

¹⁵ *Ibid*

¹⁶ *Ibid*

¹⁷ *Ibid*

semesters. For the first semester that usually held for four months, it covers planning component that can be done for two months. In the next two months, clinic should be more focus on group discussion and simulation. Next, in the second semester, clinics should conduct experimental components through direct representation of client or externship programs. Alternatively, this semester can be done from June to August because students and faculty members will not have regular class. It can avoid the possibility if the schedule of externship or direct representation of client contradicts with student's regular class in law faculty. In CLE that is fully integrated into the law curriculum law students are given academic credit for their work and assessments like in any other law course. Because this clinic will be conducted in two semesters, it can be counted as 6-8 credits with each semester consists 3-4 credits.

The planning component of this clinic involves students attending lectures or interactive seminars, and practical classes, on the types of topics that are handled by the clinic during the experimental component in the law clinic. Then, the students may be required to write assignments to ensure they have the requisite knowledge of the topics that have been covered. In this section teachers can divide students into smaller groups that can handle clients depending the types of cases and the students' interest. Specifically, if the clinic consists of 20 students, it can be divided into five groups that consist five students. Each group can handle four clients with five different cases. For example, there are group of students who focus on contract law, family law, land law, employment law, and consumer law. For the procedural law, all those groups should also learn about the existence of alternative dispute resolution.

In the direct representation, after scheduling a new client for an appointment, the law student works with the law professor or legal practitioners to outline a plan for the client interview. The student conducts research on the type of legal problem and consults with their supervisor prior to the client interview. The student takes the lead in interviewing the client, and the faculty supervisor only asks questions if it is necessary.¹⁸ After the interview, the student discusses the legal issues with the faculty supervisor and then the student explains the legal options to the client. At each step in this process, the faculty supervisor provides the student with feedback, designed to help the student understand how to improve and to become a more effective practitioner.¹⁹

For the student's supervisors, there are some potential supervisor depending on the types of civil law cases. Private attorney in a business law firm can supervise contract law cases; NGO in consumer right (Indonesia's Consumer Protection Organization) can supervise consumer law cases; NGO in employment right can supervise wrongful termination from employment contract; public notary can supervise in the land law cases; and professional arbitrator or mediator can supervise the implementation of alternative dispute resolution.

In externship program, it has three essential components; the student's actual experience, the student's reflection guided by the externship supervisor, and the law

¹⁸ *Ibid.*

¹⁹ *Ibid.*

school's supportive and evaluative involvement. The externship program may be held in several partner's places. For students who are interest in business contract law, they can work in business law firm. Students can also work in NGO that mainly advocate consumer right if they interested in consumer law. Furthermore, public notary office is an appropriate place for students who want to practice their interest in land law. For the clinic member, the main consideration for selecting partners, which become places for externship program is that the commitments of social justice. When their role models are lawyers who are actually living their commitment to social justice while also supporting themselves, it is easier to persuade students of the value and practically of social justice work.

Clinic Assessment and Grading Criteria

Assessment process is very salient to measure the level of understanding from clinics students. The main purpose of any grading system should be to encourage maximum educational achievement and learning on the part of students. Equally important, grading is also used to recognize exceptional performance, to penalize unacceptable performance, and to provide employers with a way of distinguishing among students.²⁰

Unlike in the U.S that 60% students said that whether or not clinic are graded did not have any impact to influence their decision in joining clinic,²¹ the grading system will attract student to joint clinic in Indonesia Besides, grading is also important to increase preparation and participation during clinic that subsequently enhance student's competent and services to clients. In particular, in civil law clinics, the grading systems is not the final exam but it is more important to assess them from entire-process of clinics class that can also combine with writing a paper about related topic in civil law depending on their interest. Furthermore, the assessment process should be done based on fair and transparent principle so that the students can also learn the value from those principles.

Referring to assessment and grading criteria from Suffolk University Law School in the U.S., this process should include the following: the professional habits and ethical obligations, fundamental lawyering skills and value, how to think critically and exercise professional judgment; and how to successfully implement the components of cross-cultural competence in lawyering.²²

Professional Habits and Ethical obligation consist how student can develop relationship with the student supervisor, how student can keep track of case development and meet deadlines, how student performs casework in a reliable, timely, thorough manner, and how student open to feedback and critique.²³ In fundamental lawyering skills and value, this criteria should cover how students can effectively interview clients and witnesses; how student demonstrate sufficient listening skills, how they perform

²⁰ Stacy L. Brustin, Testing The Grades: Evaluating Grading Models in Clinical Legal Education, *Clinical Law Review* VOL. 3, 1997, p.299

²¹ *Ibid.*

²² Assessment and Grading Criteria, Suffolk University Law School Clinical Program.

²³ *Ibid.*

factual investigation, how students can write precise, clear, concise, and well-edited, and how student can regularly attend the class.²⁴

Concerning critical thinking and professional judgment, it should measure how students can identify issues of fact and law, how student can recognize and address complex situation, how they can analyze the strength of their case, and how they can help clients make well-informed decisions.²⁵ With respect to the success implementation of the components of cross-cultural competence, this criteria should consider the following criteria: how student use appropriate listening skills, how they can engage the client in identifying appropriate options for resolving client's problem, how they can explain legal concept using non-legal language, and how they can implement advocacy strategies that incorporated the client's concerns and priorities.²⁶

Learning Stage

Transfer of Knowledge

In the process of transfer of knowledge, clinics students should understand what and how lawyers do in civil dispute. Furthermore students should be able to analyze the law by knowing the applicable law from statutes, regulation, and case law and understanding related provision. Then, students can analyze fact by evaluating facts in light of the law, evaluating additional fact and developing their case.²⁷

For specific knowledge that students should be understood covering civil procedure, contract law, employment law, land law, consumer law, and alternative dispute resolution. In civil procedure, students should understand the basic steps of civil case that cover the following: formulating civil claim, hearing the claim, defendant response, statement of defense, claimant's reply or counter-plea, evidence, examination, and decision.

In contract law, students should understand how to draft and choose the appropriate language and legal term in the contract, to apply the freedom of contract principle, the nominated contract, to recognize the general condition of the validity of contract, and to anticipate the claim for the breach of contract. Concerning employment law, students should understand several categories of worker, entitlement to statutory employment rights, and examine the employment contract by checking the minimum wage, restriction on working time, and the protection from discrimination. With respect to land law, its material should explain and distinguish the several types of land titles including the following: freehold tittle right, cultivation right, building right title, right to use tittle, and forestry rights. Besides, students should understand rule and procedure of land acquisition and land registration, and how a foreigner can legally obtain Indonesian land.

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ Molly M. Cohan, *Principle of Effective Advocacy*, Tribal Court Public Defense Clinic, University of Washington School of Law, 2013. p. 3

In consumer protection law, students should understand the rights and obligations of consumers and entrepreneurs, prohibition imposed on entrepreneurs who produce goods and services, the role of national consumer protection agency, and the role of consumer dispute settlement board. Meanwhile, in the materials of alternative dispute resolution, student can identify, compare, and analyze the existence of conciliation, mediation, and arbitration.

Transfer of Skills

In the transfer of skills, civil law clinic student should have a minimum level of understanding in some basic skills including the following: legal drafting, client interviewing, client counseling, trial advocacy, negotiation, critical thinking, and problem solving.²⁸

In legal drafting, students can be required to write letters and draft documents such as civil claims, contracts, land title and other legal documents. They need to be taught these skills before they attempt to undertake writing and drafting tasks on behalf of clients. The clinics need to instill law students with a commitment to accurate and good drafting techniques.²⁹

Client interviewing is very important skills as it takes place in the first meeting between students and clients. Students have to be taught how to put clients at ease and how to build trust between themselves and their clients. This must be done so that clients feel free to tell everything that is relevant.³⁰ Next, client counseling skill is required for students who advise the clients once they help the client to identify what the issues are. Clients should be given choices regarding the alternative procedures that could be followed and encouraged to make an informed decision on the path they would like to follow.³¹

Meanwhile, trial advocacy skills for law clinics require law students to be trained in case analysis and trial preparation. Students also need to get practice in the oral and written skills necessary to prepare for, and conduct, preliminary hearings in court.³² In the specific area of civil law in Indonesia, students should be trained in special trial preparation that is conducted for specific purposes. For example, consumer dispute settlement board for consumer law, industrial relationship court for employment law, and commercial court for bankruptcy and intellectual property rights claims.

Negotiation is the next required skill to assist client to reach an agreement outside the court through the use of alternative dispute resolution. Students need to know that litigation is not the only way to settle disputes. Therefore, students may also need to be trained in mediation techniques, including how to listen, the steps in the mediation

²⁸ Stuckey, *op.cit.*, p. 58

²⁹ Mason, *op.cit.*, p. 81.

³⁰ *Ibid.*

³¹ Stuckey, *op.cit.*, p.58.

³² Pamela N. Phan, Clinical Legal Education in China: In Pursuit of A Culture of Law and A Mission of Social Justice, *Yale Human. Rights. & Development. Law Journal* Vol.8, 2005, p. 117-26.

process, and how to draw up a mediation agreement.³³ This process is very crucial because mediation currently become a mandatory process that must be done before civil trial process in Indonesia.

Then, critical thinking skill requires students not simply to accept what the law is, or what the courts or text books say the law is. Students should be encouraged to question the legal principle and solutions offered and to think creatively about how they can assist clients to solve their problems using both legal and other possible remedies.³⁴ Finally, problem-solving skill is the essence of legal practice. When problem-solving students should be able to identify the issues, generate alternative solutions to the issues raised, and develop a plan of action. They should learn to be open to new information and ideas and be flexible in their approach while dealing with legal problems.³⁵

Transfer of Value

In the transfer of value, the goals of this process are to educate the importance of social and professional responsibilities as a lawyer.³⁶ Specifically, it should address issues concerning candor, truthfulness, and honesty in dealings with clients, and opposing parties.³⁷ Equally important, students may need to comply to the rules of professional responsibility that instruct all lawyers to comply with the three C's—confidentiality, avoidance of conflicts of interest, and competence.³⁸

As a good role model, the 2005 survey of the Arizona Bar in the U.S., showed the most important values that determined the success role of lawyers. It provided ten most “essential” values for lawyers including the following: Act honestly and with integrity (99%); show reliability and willingness to accept responsibility (97%); strive to provide competent, high quality legal work for each client (97%); treat clients, lawyers, judges, and staff with respect (95%); show diligence and ethic of hard work (90%); demonstrate maturity, autonomy, and judgment (90%); demonstrate self-motivation and passion (88%); show self-confidence and earn others' confidence (88%); commitment to continued professional growth and development (82%); and demonstrate tolerance, patience, and empathy (82%).³⁹

Reflection Stage

Reflection is very important to be applied for professional responsibility, advocacy, and educational growth. In this process, students should write and discuss their knowledge and experience with the clinic professor and other students that can be undertaken

³³ Mason, *op.cit.*, p 81.

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ Joyd, *op.cit.*, p. 429.

³⁷ Peter L Murray. *Basic Trial Advocacy*, (New England: Maine Law Book Company, 2003), p. 21

³⁸ Maranville, *op.cit.*, p.541.

³⁹ Stuckey, *op.cit.*, p. 76.

through focus group discussion, seminars, and private meetings.⁴⁰ Reflection is a critical feature of clinical learning that the student should be reflecting during each task and after every task is completed.⁴¹

Journaling is one of the most effective methods for reflection that provide an opportunity for the student to take a step away from the cases, clients, and legal issues with which they have been engaged and to think about them objectively.⁴² Furthermore, they can analyze and evaluate their competency in legal analysis, intellectual capacity, writing skills, clarity of oral expression, judgment, responsibility, client relation, interviewing, counseling, and drafting documents.⁴³ Concerning externship program, in their journal, students can evaluate how externship meet with students' expectation, how supervisor in externship provide adequate feedback, how they feel about educational experience in externship, and how they can recommend the place for externship for future clinic students.⁴⁴

Feedback and debriefing are the other reflection actions that are effective to analyze the strengths and weaknesses of students' clinic after they completed assignments. Through feedback, students can receive some positive critiques from their teachers, supervisors, and other students. This process mainly focused in analyzing their individual performance. Then, debriefing is also important that can be done after each simulation. The purposes of debriefing are different from providing feedback to individual students on their performances. The goals of debriefing are to explore issues that were encountered by multiple members of the group, consider how they should have been resolved, and evaluate the effectiveness of the exercise.⁴⁵

Comprehensive Strategis for the Sustainability of Clinic

This section proposes some strategies in order to sustain the existence of civil law clinic in Indonesia. These strategies cover the action for short, middle and long term. There are two principles of formulating these strategies including the following: (1) They should be reasonably available strategies, meaning it should create stakeholders capable of undertaking and not just theoretical in nature; and (2) they should involve the participation of all key stakeholders such as teachers, clinical members, students, and partners.

⁴⁰ Deborah Maranville, Passion, Context, and Lawyering Skills: Choosing Among Simulated and Real Clinical Experiences, *Clinical Law Review*, Vol.7 2000, p.129-30.(hereinafter referred to as Maranville 2)

⁴¹ Anahid Gharakhanian, ABA Standard 305's Guided Reflections: A Perfect Fit for Guided Fieldwork, *Clinical Law Review*, Vol.145, 2007, p.87

⁴² J.P. Ogilvy et al., *Learning from Practice: A Professional Development Text for Legal Externs* 2nd ed. (St. Paul, MN : Thomson/West, 2007), p.100

⁴³ Student Evaluation Form of The Elder Law Clinic, Wake Forest University School of Law.

⁴⁴ Externship Protocol of Legal Clinic, The University of Akron School of Law

⁴⁵ Stuckey, *op.cit*, p.137.

a. Short Term

- (1) Formulating Curriculum that equally combine knowledge, skills, and values.
 - a) Active participation from legal practitioners when developing a curriculum of civil law clinics.
 - b) Some civil law clinic courses should be done outside the campus. For example civil law clinic class in commercial court or in Department of Trade and Industry (when students learn about patent or copyright registration process).
 - c) Incorporate some materials from civil law clinics program in other basic law subjects. For example civil procedure incorporates some materials from civil clinic or mediation clinic in Indonesia.
 - d) Law lecturers do not have teaching schedule in June, July, and August. Hence, in their off-day, they should be trained by practical skills that can minimize subsequently the gap between theory and practical while teaching. For example, mediation professional training program and the dissemination of code of professional conduct of lawyers.
 - e) Clinic can invite popular attorneys, judge, or the member of house of representative who have been a role model in character and integrity to give guest lecturer in campus. (This is the way to educate value for civil law clinic students).
 - f) Conducting fair and transparent assessment in civil law clinic class.
- (2) Creating Clinical Program that involve legislative, executive, and judicative Body such as public services day and seminar.
- (3) Promoting and socializing the existence of civil law clinic.
 - a) Promoting CLE in Electronic and Social Media.
 - b) Publishing book and article in Indonesian language.
 - c) Establishing association of clinical program from NGO and university that regularly formulate and evaluate the progress of CLE program. Including civil law clinic. Besides, this group can also negotiate with the decision maker concerning the latest tendency of CLE program.

b. Mid Term

- (1) Equal competency among knowledge, skills and values of clinic students.
- (2) Broad Link and relation with all stakeholders after involving executive, legislative, and judicative body.
- (3) The existence of civil law clinic is getting popular and widely accepted in society after conducting promotion process.

c. Long Term

The existence of civil law clinic that fosters social justice to the society.

CONCLUSION

The existence of Clinical Legal Education (CLE) in Indonesia will considerably contribute for graduating more competent and more professional students as it equally combines knowledge, skills and value that reflects what lawyer do (practical skill), what lawyer should do (value), and how lawyer should do (knowledge) in legal cases. As a part of CLE, the existence of civil law clinic plays important role for enhancing the competency of law students. Nationally, some aspects of civil law contribute to the fulfillment of basic human need in Indonesia. Specifically, contract law, family law, employment law, and consumer protection. Internationally, as an undeniable impact from globalization in Indonesia, this process requires harmonization of law that has adopted new concepts, practices, and legal institutions in Indonesia.

To manage civil law clinic, law schools in Indonesia should equally design planning stage, learning stage, and reflection stage. Planning stage consists: developing the objective; formulating Curriculum, preparing clinic member; organizing clinic in day-to-day basis; and establishing clinic Assessment and grading criteria. Next, in learning stage, it should combine the process of transfer of knowledge, skills, and values. Lastly, it should contain journaling, feedback and debriefing as a reflection stage. Equally important, the comprehensive strategies that cover short, middle, and long-term have an ultimate goal for fostering social justice in Indonesia.

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