

## Law 606: Legislation and Policy Clinic –Learning Goals and Outcomes

**Note:** Students are not meant to interpret the learning goals and outcomes as strict “grading criteria.” Rather, the goals and outcomes should be used to clarify the types of skills we hope students develop throughout the semester. While specific dates of class exercises are identified, it is expected that the skills listed will evolve throughout the semester. For information on how the course is graded, please refer to the syllabus and the clinic manual.

Class Coursework and Exercises		
<i>Class exercise</i>	<i>Learning goals – Student will be able to:</i>	<i>Assessed by looking for:</i>
<b>Racial Equity Impact Assessment</b>	Begin to identify and understand the potential impact of a piece of legislation on different racial and ethnic groups.	<ul style="list-style-type: none"> <li>- Articulation of the purpose of a proposal and recognition of its potential impact on different racial and ethnic groups.</li> <li>- Identification of stakeholders most likely to be affected by, and concerned with the issues related to a proposal.</li> <li>- Identification of the factors that may produce or perpetuate racial inequities in the system being addressed.</li> <li>- Identification of the types of documentation and data needed to make an assessment.</li> <li>- Identification of how adverse impacts might be avoided and associated challenges.</li> </ul>
<b>Legislative Interpretation Exercise</b>	<p>Overall goal: Read and interpret a statute.</p> <ul style="list-style-type: none"> <li>• Understand the significance of particular word choices in interpreting statutory language.</li> <li>• Identify areas of potential ambiguity in statutory language and articulate different potential interpretations of the statute based on this ambiguity.</li> <li>• Recommend a specific interpretation of an ambiguous statute and analyze the strengths and weaknesses of different possible interpretations.</li> </ul>	<ul style="list-style-type: none"> <li>- Interpretation that refers to specific words or phrases in the statutory excerpt.</li> <li>- Identification of questions that would require further research in interpreting statute.</li> <li>- Acknowledgement that the same language could support multiple plausible alternative interpretations.</li> <li>- Clearly distinguishing a chosen interpretation of the statute from other possible interpretations.</li> <li>- Identification of specific choices in words, word order, or phrasing that support a given interpretation of the statute.</li> </ul>

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<b>Advocacy Exercise</b>	Clearly articulate information and position orally, and tailor your messaging to reach different decision-makers.	<ul style="list-style-type: none"> <li>- Clear, concise articulation of proposal and the problem it seeks to solve.</li> <li>- Clear, concise explanation of (1) issue, (2) why it matters, (3) proposed solution, and (4) reasons for support.</li> <li>- Articulating multiple separate reasons why the proposal should be enacted/implemented.</li> <li>- Incorporation of principles on which different groups might agree, when appropriate.</li> <li>- Identification of drawbacks or concerns that a legislator might have, particularly political considerations.</li> <li>- Identification of constraints, such as budget or political realities that could limit proposal’s success.</li> </ul>
<b>Elevator Speeches</b>	Overall goal: Learn how to create and persuasively recount stories and/or information, while considering specific audience and goals.	<ul style="list-style-type: none"> <li>- Clear, concise articulation of proposal and the problem it seeks to solve.</li> <li>- Choices made to shape presentation to appeal to specific audience.</li> <li>- Efforts to create credible, memorable stories.</li> <li>- Use of selective facts rather than attempting to force all known facts into the story.</li> <li>- Attention to the pace of story (including recognition of time constraints) to create emphasis and build interest.</li> <li>- Clear, concise explanation of (1) issue, (2) why it matters, (3) proposed solution, and (4) reasons for support.</li> <li>- Articulating multiple separate reasons why the proposal should be enacted/implemented.</li> <li>- Incorporation of principles on which different groups might agree, when appropriate.</li> <li>- Identification of drawbacks or concerns that a legislator might have, particularly political considerations.</li> <li>- Identification of constraints, such as budget or political realities that could limit proposal’s success.</li> </ul>

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<i>Class exercise</i>	<i>Learning goals – Student will be able to:</i>	<i>Assessed by looking for:</i>
<b>First Draft Fact Sheets</b>	Clearly articulate information and position in writing	<ul style="list-style-type: none"> <li>- Providing a succinct (1-2 sentence) description of what the bill does, and how it changes the law.</li> <li>- Using formatting (e.g., bullet points, bold) to highlight key points.</li> <li>- Offering 2-3 distinct points supporting your position</li> <li>- Offering a brief, persuasive explanation of the problem/issue and why it matters.</li> <li>- Making word choices that are sensitive to the language and framing used by advocates on the issue.</li> <li>- Use of data to convey relevant information.</li> <li>- Use of stories in an effective manner to convey research findings.</li> <li>- Framing explanation of the proposed bill in terms that help move the reader to your position.</li> <li>- Articulating underlying principle(s) that may unify disparate interests, including those likely to disagree with you.</li> </ul> <p>Using the “Tips in drafting fact sheets and testimony” document.</p>
<b>Child Welfare Legislation— Readings and Discussion</b>	<p>Overall goal #1: Critique legislation in the context of politics, history, and language.</p> <ul style="list-style-type: none"> <li>• Read and critically analyze the language of a statute in order to identify its purpose and requirements.</li> <li>• Identify areas of potential ambiguity in statutory language.</li> </ul>	<ul style="list-style-type: none"> <li>- Engagement in classroom discussion with assigned readings, particularly portions of the text of the statute.</li> <li>- Pointing to specific words or portions of the assigned statute or cases to back up an answer.</li> <li>- Articulating different possible interpretations of the federal statutes.</li> <li>- Identifying benefits and drawbacks to not including definitions of concepts like “permanency” or “reasonable efforts” in the acts.</li> <li>- Acknowledging ambiguity and articulating different possible interpretations of the “reasonable efforts” requirement.</li> <li>- Finding differences between AACWA and ASFA in uses of terms like “reasonable efforts” and the difference between a “permanency hearing” and “dispositional hearing.”</li> </ul>

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<i>Class exercise</i>	<i>Learning goals – Student will be able to:</i>	<i>Assessed by looking for:</i>
	<ul style="list-style-type: none"> <li>• Understand and be able to use a range of sources in interpreting legislative intent, including other portions of the statute, legislative history, case law, agency regulations, and the canons of statutory interpretation.</li>   <li>• Understand the intricacies of the legislative process as well as the political realities that shape a bill’s evolution.</li>   <li>Overall goal #2: Understand challenges to implementation.</li> <li>• Identify potential challenges to implementing a piece of legislation.</li> <li>• Develop an awareness of the potential limitations of a legislative approach.</li> <li>• Identify ways to shape policy that may not involve enacting new legislation.</li> </ul>	<ul style="list-style-type: none"> <li>- Identifying goals of AACWA, in general or specific to permanency</li> <li>- Identifying different interpretations of legislative intent based on different legislators’ statements</li> <li>- Discussing the dispositional hearings requirement by referring to specific portions of statute or legislative history.</li> <li>- Identifying goals of ASFA in general or specific to reasonable efforts or permanency.</li> <li>- Recognition of potential benefits and drawbacks to implementing concurrent planning.</li>   <li>- Articulate the connection between the social or political climate of 1980 and 1997 (either in Illinois or nationally) and motivations or context of the statutes.</li>   <li>- Identifying changes in statutory language that could have helped in implementation.</li> <li>- Connecting concerns about AACWA’s implementation to the motivations for enacting ASFA.</li> <li>- Articulating the impact the issues with AACWA’s implementation had with the drafting and passage of ASFA.</li> <li>- Articulating the strengths and weaknesses to addressing these issues through legislation versus other avenues.</li> <li>- Acknowledgment that legislators’ intent in enacting a statute may differ from an agency’s interpretation in implementing it.</li> <li>- Identifying challenges to the implementation of ASFA.</li> <li>- Identifying non-legislative ways to address implementation concerns.</li> </ul>

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Class Coursework and Exercises		
<i>Class exercise</i>	<i>Learning goals – Student will be able to:</i>	<i>Assessed by looking for:</i>
<b>Legislative Drafting Exercise on “Reasonable Efforts”</b>	<p>Overall goal: Draft a piece of legislation.</p> <ul style="list-style-type: none"> <li>• Draft a proposed amendment to a statute using clear and appropriate language.</li> <li>• Identify priorities and objectives that a piece of legislation is intended to accomplish, as well as obstacles to achieving the objectives.</li> <li>• Analyze the strengths and weaknesses of different approaches to legislative drafting.</li> <li>• Critically analyze an issue within a broader social and political context, including how or whether the issue affects the language chosen.</li> <li>• Understanding the reality in which legislative solutions must be applied and implemented.</li> </ul>	<ul style="list-style-type: none"> <li>- Well-organized brief oral explanation (and comprehensible written draft) of the proposed definition, which also identifies where it would be placed in the DCFS Act.</li> <li>- Justification of specific word choices (including ambiguity where desirable).</li> <li>- Articulation of objective(s) (such as setting minimum standards for services or providing guidance to courts or caseworkers) in defining “reasonable efforts.”</li> <li>- Discussion of the strengths and weaknesses of the chosen definition, as well as the chosen place in the statute.</li> <li>- Consideration of multiple possible definitions and explanation of why some were rejected in favor of others.</li> <li>- Consideration of multiple possible places in the statute and explanation of why some were rejected in favor of others.</li> <li>- Acknowledgement of constituencies or political considerations that might make certain definitions easier or more difficult to adopt than others.</li> <li>- Identification of constraints, such as budget or political realities that could limit success of a given definition.</li> <li>- Discussion of potential challenges to implementing, applying, or interpreting a specific definition.</li> </ul>
<b>Negotiation Skills Tutorial</b>	<p>Overall goal: Develop and apply an understanding of basic negotiation tactics</p> <ul style="list-style-type: none"> <li>• Develop a basic understand of the importance of negotiation skills in policymaking</li> <li>• Gain practice in applying basic negotiation principles</li> </ul>	<ul style="list-style-type: none"> <li>- Engagement in class discussion regarding the importance of negotiation and explanation of basic skills.</li> <li>- Critically analyze assigned position and thoughtfully apply negotiation principles discussed in class.</li> </ul>

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Clinic Project		
<i>Class exercise</i>	<i>Learning goals—Student will able to:</i>	<i>Assessed by looking for:</i>
<b>Project Management</b> <i>Entire Semester</i>	<p>Overall goal: Appropriately manage a project.</p> <ul style="list-style-type: none"> <li>• Appropriately prioritize and meet deadlines on work assignments, whether imposed by the faculty or an outside entity.</li>   <li>• Demonstrate professionalism at scheduled meetings, as well as in interactions with professionals and others working in the field.</li>   <li>• Work effectively as part of a team, as well as within a broader coalition of outside groups (where applicable).</li> </ul>	<ul style="list-style-type: none"> <li>- Meeting deadlines (internal and external) on projects.</li> <li>- Prompt responses to requests, particularly when deadlines are short.</li> <li>- Circulating work to faculty/other group members for review in advance of internal meetings.</li>   <li>- Professional attire and behavior at meetings and other interactions with outside organizations.</li> <li>- Attending all required meetings and actively participating, including asking questions where appropriate.</li> <li>- Being prepared and organized for meetings.</li> <li>- Maintaining professional boundaries.</li> <li>- Recognizing and resolving potential ethical problems.</li>   <li>- Actively listening and contributing to discussions with other team members in internal meetings.</li> <li>- Treating others respectfully, including time &amp; deadlines.</li> <li>- Demonstrating individual contributions to group projects.</li> <li>- Progress on group projects reflecting joint work and communication with team members outside the classroom.</li> <li>- Identifying and taking responsibility for issues team should address and when to reach out to faculty/other professionals.</li> <li>- Working effectively with people of varied professional, racial, economic, and cultural backgrounds.</li> </ul>

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Clinic Project		
<i>Class exercise</i>	<i>Learning goals—Student will able to:</i>	<i>Assessed by looking for:</i>
	<ul style="list-style-type: none"> <li>• Develop systems of organization and communication among project team members that promote cooperation and ensure timely and appropriate completion of projects.</li>   <li>• Properly document work done on the project, including wrap-up at the end of the semester.</li> </ul>	<ul style="list-style-type: none"> <li>- Providing clear updates on the status of longer-term projects at internal group meetings.</li> <li>- Circulating agendas before meetings and/or summaries after meetings (such as next steps or questions) that appropriately reflect project assignments and deadlines.</li> <li>- Creating organized, understandable shared documents.</li>   <li>- Appropriate documents (including drafts and research sources) saved to OneDrive with understandable headings.</li> <li>- Hard copies of appropriate organized in project portfolio.</li> <li>- Creating an end-of-semester memo where appropriate.</li> </ul>
<p><b>Research and Writing</b> <i>Entire Semester</i></p>	<p>Overall goal: Conduct legal &amp; policy research and convey the results in written work.</p> <ul style="list-style-type: none"> <li>• Conduct thorough and accurate research using appropriate sources, including an assessment of which results are most reliable and/or relevant to the project.</li>   <li>• Written work is logical, well-organized, clear, concise and persuasive.</li> </ul>	<ul style="list-style-type: none"> <li>- Work includes an explanation of research strategy or how sources were identified.</li> <li>- Identify relevant legal principles.</li> <li>- Work includes attribution to sources, including (when relevant) notes on the reliability of the source.</li> <li>- Memos and reports paraphrase or summarize sources when appropriate, never quoting without proper attribution.</li> <li>- Discussion of case law includes relevant citation information and results of Shepardizing cases as well as cases cited.</li> <li>- Discussion of legislative history includes notes on floor debate in both houses, as well as other relevant details.</li> <li>- Descriptions of bills are thorough and accurate and rely on text of the bill rather than the legislative synopsis.</li>   <li>- Drafts include a roadmap/introduction and topic sentences.</li> <li>- Drafts are organized by sections or bullet points with clear headings or transitions.</li> <li>- Drafts are properly formatted and proofread.</li> </ul>

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Clinic Project		
<i>Class exercise</i>	<i>Learning goals—Student will able to:</i>	<i>Assessed by looking for:</i>
	<ul style="list-style-type: none"> <li>• Integrate feedback from faculty, including skills learned during the Seminar.</li> </ul>	<ul style="list-style-type: none"> <li>- Memos follow the IRAC or CRAC writing style when appropriate (articulating a rule and applying it to the relevant facts).</li> <li>- Drafts include clearly articulated statement of the issue being addressed and/or the questions researched.</li> <li>- Conclusions or recommendations include analysis of arguments likely to be advanced by those in opposition.</li> <li>- Drafts incorporate not only line edits but also responses to comments or questions from faculty in the editing process.</li> <li>- In reviewing new drafts, articulating the reasons for changes in the new draft.</li> <li>- Drafts refer to sources provided by faculty when relevant.</li> </ul>
<p><b>***Final Project</b> <i>End of semester</i></p>	<p>Overall goal: Develop a proposal and draft a bill or other materials to accomplish that purpose. <b>(NOTE: The learning goals and assessment criteria will vary depending on the specific Clinic project. This will be discussed in greater depth with individual project teams.)</b></p> <ul style="list-style-type: none"> <li>• Draft a clear and well-organized piece of legislation.</li> <li>• Understand the intricacies of the legislative process as well as the political realities that shape a bill’s evolution.</li> </ul>	<ul style="list-style-type: none"> <li>- Bill draft is appropriately formatted and clearly indicates what portion of the Illinois statute is being amended (or the location of the new section being added).</li> <li>- Organizing the bill into sections in a clear, logical way.</li> <li>- Defining words or terms likely to need clarification.</li> <li>- Using words and terms consistently, including maintaining language consistent with other sections of the Illinois code.</li> <li>- Identifying models used in drafting the bill language and explaining word choices that differ from model language.</li> <li>- Making word choices that are sensitive to the language and framing used by advocates on the issue, as well as how a word may be heard/understood by opponents or those with little knowledge about an issue.</li> <li>- Identifying any potential budgetary concerns.</li> <li>- Including an appropriate bill subject.</li> </ul>

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<i>Class exercise</i>	<i>Learning goals—Student will able to:</i>	<i>Assessed by looking for:</i>
	<ul style="list-style-type: none"> <li>• Be aware of the potential limitations of a legislative approach, including challenges in implementation.</li>   <li>• Integrate feedback from faculty, including skills learned during the Seminar.</li> </ul>	<ul style="list-style-type: none"> <li>- Including an effective date when appropriate, and explaining the reasons for including or omitting an effective date.</li> <li>- Distinguishing between statutes, rules and regulations, and informal policy and practice.</li> <li>- Identifying additional decisions that an agency may need to make in issuing rules and regulations to implement the statute.</li> <li>- Including mechanisms for enforcement or identifying other ways to address concerns about implementation.</li>   <li>- Addressing issues from the “Checklist in Drafting” document.</li> <li>- Drafts incorporate not only line edits but also responses to comments or questions from faculty in the editing process.</li> <li>- In reviewing new drafts, articulating the reasons for changes.</li> </ul>
<p><b>Fact sheet- Final Project</b> <i>End of Semester</i></p>	<p>Overall goal: Clearly articulate information and positions</p> <ul style="list-style-type: none"> <li>• Clearly and concisely explain a potential legislative proposal.</li>   <li>• Address the strengths and weaknesses of a legislative proposal and potential alternatives.</li>   <li>• Determine whether there is a broader social and political context to issues at hand and how or whether that affects what actions advocates should take.</li>   <li>• Clearly and accurately communicate relevant research for a legislative audience.</li>   <li>• Understand the strength of using stories and data, and when each is appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>- Providing a succinct (1-2 sentence) description of what the bill/proposal does, and how it changes the law.</li> <li>- Using formatting (e.g., bullet points, bold) to highlight key points.</li>   <li>- Offering 2-3 distinct points why bill should/should not pass.</li> <li>- Rebutting anticipated arguments from the opposing side.</li>   <li>- Offering a brief, persuasive explanation of the problem/issue and why it matters.</li> <li>- Making word choices that are sensitive to the language and framing used by advocates on the issue.</li>   <li>- Use of data to convey relevant information.</li>   <li>- Use of stories in an effective manner to convey research findings.</li> </ul>

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<i>Class exercise</i>	<i>Learning goals—Student will able to:</i>	<i>Assessed by looking for:</i>
	<ul style="list-style-type: none"> <li>• Understand the intricacies of the legislative process</li>   <li>• Zealously (and honestly) advocate for a policy or legislative position in writing.</li>   <li>• Integrate feedback from faculty, including skills learned during the Seminar.</li> </ul>	<ul style="list-style-type: none"> <li>- Including bill number, name, and support/opposition on fact sheet.</li> <li>- Identifying supporting or opposing organizations.</li> <li>- Including contact info and affiliation of appropriate contact, based on political realities of the policy/legislation.</li>   <li>- Framing explanation of the proposed bill in terms that help move the reader to your position.</li> <li>- Articulating underlying principle(s) that may unify disparate interests, including those likely to disagree with you.</li>   <li>- Using the “Tips in drafting fact sheets and testimony” document.</li> <li>- Drafts incorporate not only line edits but also responses to comments or questions from faculty in the editing process.</li> <li>- In reviewing new drafts, articulating the reasons for changes.</li> </ul>
<b>Testimony/ Final Project</b> <i>End of Semester</i>	<p>Overall goal: Draft legislative testimony.</p> <ul style="list-style-type: none"> <li>• Clearly and concisely explain a potential legislative proposal.</li>   <li>• Address the strengths and weaknesses of a legislative proposal and its potential alternatives.</li>   <li>• Understand the strength of using stories and data, and when each is appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>- Including an introduction, a roadmap, and a conclusion (briefly, in short words/sentences).</li> <li>- Succinctly describing what the bill does.</li>   <li>- Offering 2-3 distinct points why bill should/should not pass.</li> <li>- Rebutting anticipated arguments from the opposing side.</li>   <li>- Identifying stories, voices, and/or viewpoints that will be relevant and persuasive for legislators.</li> <li>- Identifying the individual or organization testifying, and explaining their connection to the issue.</li> <li>- Including a personal story and/or statistics that show the impact of the problem/issue.</li> </ul>

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<b>Clinic Project</b>		
<i>Class exercise</i>	<i>Learning goals—Student will able to:</i>	<i>Assessed by looking for:</i>
	<ul style="list-style-type: none"> <li>• Determine whether there is a broader social and political context to issues at hand and how or whether that affects what actions advocates should take.</li> <li>• Understand the intricacies of the legislative process as well as the political realities that shape a bill’s evolution.</li> <li>• Zealously (and honestly) advocate for a policy or legislative position.</li> <li>• Review and redraft materials based on skills learned during the Seminar and faculty feedback, illustrating lessons learned.</li> </ul>	<ul style="list-style-type: none"> <li>- Making word choices that are sensitive to the language and framing used by advocates on the issue.</li> <li>- Explaining why legislation is or isn’t appropriate response.</li> <li>- If supporting bill, explaining why legislators should act now.</li> <li>- If opposing bill, offering alternatives (such as education or informal change in policy) to address the issue.</li> <li>- Framing explanation of the proposed bill in terms that help move the reader to your position.</li> <li>- Articulating underlying principle(s) that may unify disparate interests, including those likely to disagree with you.</li> <li>- Addressing issues from the “Tips in drafting fact sheets and testimony” document.</li> <li>- Drafts incorporate not only line edits but also responses to comments or questions from faculty in the editing process.</li> <li>- In reviewing new drafts, articulating the reasons for changes.</li> </ul>
<b>Committee Hearing/ Final Project</b>	<ul style="list-style-type: none"> <li>• Persuasively present oral testimony in support or opposition to a legislative proposal.</li> </ul>	<ul style="list-style-type: none"> <li>- Eye contact with “legislators” and limited amounts of reading/referring to written testimony.</li> <li>- Organized presentation that includes an introduction, a roadmap, and a conclusion (briefly, in short words/sentences) so that the listener can easily follow.</li> <li>- Succinctly describing what the bill does.</li> <li>- Offering 2-3 distinct points in support of your argument, with clear transitions.</li> </ul>

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<i>Class exercise</i>	<i>Learning goals—Student will able to:</i>	<i>Assessed by looking for:</i>
	<ul style="list-style-type: none"> <li>• Demonstrate to relevant stakeholders a familiarity with the source materials and an understanding of the relevant policy and legal issues.</li> <li>• Determine whether there is a broader social and political context to issues at hand and how or whether that affects what actions advocates should take.</li> <li>• Zealously (and honestly) advocate for a policy or legislative position.</li> </ul>	<ul style="list-style-type: none"> <li>- Responding to “legislator” questions with on-point answers referring to relevant portions of the bill’s language, statistics, case law, or other background materials.</li> <li>- Connecting questions to talking points/main arguments for support or opposition.</li> <li>- Accurate responses to questions that do not overstate the case.</li> <li>- Making word choices that are sensitive to the language and framing used by advocates on the issue.</li> <li>- Identifying interests or constituencies likely to appeal to legislators (such as different regions of the state).</li> <li>- Respectfully addressing legislators and others testifying.</li> <li>- Seeking common ground in answering questions from legislators who seem opposed to your argument.</li> <li>- When asked about issues outside the scope of your research, responding, “I don’t know” while promising to follow up.</li> <li>- Using voice to emphasize key points in the argument and convey a sense of passion or urgency.</li> </ul>

**\*\*\*NOTE: The learning goals and assessment criteria for the final project will vary depending on the specific Clinic project. This will be discussed in greater depth with individual project teams.**