

## EMPOWERING UKRAINE'S FIRST LEGAL RESPONDERS: UKRAINIAN-US COLLABORATION AND CLINICS

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### **Abstract:**

At the onset of the full-scale Russian war of aggression against Ukraine, U.S. law clinic professors worked alongside the leadership of the Association of Legal Clinics of Ukraine. The mutual objective was to support Ukrainian law professors and facilitate the continued legal education of their students, particularly the acquisition of skills typically taught in law clinics. Ultimately, the online partnership that developed focused on skills training and included seven Ukrainian law schools, faculty from over six U.S. law schools and one private law firm, and USAID Justice for All Activity in

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Ukraine. The overall goals of this collaboration were to support the teaching and skills training for Ukrainian students as they pivoted their work to grapple with accessing an entirely new set of skills to navigate lawyering during the war.

## **I. Introduction**

This article describes a partnership between US and Ukrainian law faculties that developed after the Russian full-scale invasion of Ukraine. The partnership goals were to assist Ukrainian law schools and clinics with challenges that arose from the widespread war. The article describes the partnership formation, the development of a workshop series, and the needs assessment that determined the workshop subject matter, course content, and teaching methods. It then appraises the efficacy of the series and the experience from the perspective of faculty and students and reflects on lessons learned that may be useful for other international collaborations. As one project can lead to another, the article describes events that followed the workshop series and concludes with ideas for future collaborations.

## **II. Response to the Full-Scale Invasion**

When the Russian war of aggression against Ukraine escalated on February 24, 2022, life in Ukraine changed drastically and rapidly. The impact on Ukrainian law schools was palpable. Schools in newly occupied territory and near the frontline had to close

their doors as professors, administrators, and students focused on their safety, many moving to safer areas. Schools had to change their curricula and methods of instruction to both meet the needs of their students studying during the war and create curricular and practice opportunities that were responsive to the war. Some schools lacked capacity as professors and administrators, as well as some students, joined the armed forces and territorial defense force. Institutional operational challenges materialized, such as conducting regular and extracurricular training, managing legal clinics and working with clients in wartime, and the exponential growth in the number of cases. Importantly, the war brought new legal challenges that Ukrainian clinics had largely not focused on previously.

The full-scale invasion and Russian atrocities deeply affected a number of US clinical professors, many of whom have dedicated their careers to fighting injustice. Professor Davida Finger<sup>2</sup>, leaning on her experience responding to the devastation of Hurricane Katrina, realized that a coordinated response by US legal clinicians would be more helpful than individual overtures of assistance. She convened a group of US legal clinicians by messaging through the national Law Clinic listserv. After a number of planning meetings, a core group of US clinicians interested in supporting Ukrainian clinic colleagues emerged. From there, Professor Leah Wortham<sup>3</sup> shared contacts

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<sup>2</sup> Prof. Davida Finger is the Clinic Professor & Director of the Law Clinic & Gillis Long Poverty Law Center at Loyola University New Orleans College of Law.

<sup>3</sup> Prof. Leah Wortham is Professor Emerita at Catholic University of America Columbus School of Law and Director of the International Business and Trade Summer Law Program, Kraków, Poland.

from her prior work in Eastern Europe. Those relationships proved to be critical for the collaborative work that would emerge.

Through those relationships, the U.S. clinicians reached out to Prof. Mariia Tsypiashchuk<sup>4</sup>, a board member of the Association of Legal Clinics of Ukraine, asking how US clinicians could assist. Ukrainian and US clinicians developed a plan for a series of workshops to support teaching methods and practical skills training for Ukrainian students, who were grappling with gaining an entirely new set of skills to navigate lawyering during and after the war. US clinicians relied on the Association of Legal Clinics of Ukraine to determine the substantive subject matter and skills training that would be most beneficial.

### **III. The Needs Assessment of Ukrainian Law Clinics and the Survey of US Law Clinics to Match the Needs**

To determine the substantive subject matter and skills training for the workshop series, during May and June of 2022, the Association of Legal Clinics of Ukraine conducted a needs assessment of Ukrainian law clinics. At the same time, a similar survey was shared among the US law clinics to match possible responses and to cover the needs.

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<sup>4</sup> Prof. Mariia Tsypiashchuk is a Law Professor at the National University of Ostroh Academy.

Besides statistical data on the contacts and number of students and staff, the Association of Legal Clinics of Ukraine survey asked legal clinics in Ukraine questions such as:

What are the most critical problems (if any) that your legal clinic currently has?

What are the most critical needs (if any) that your legal clinic currently has?

These questions suggested lists of possible responses and provided space to indicate additional information. Ukrainian legal clinics were also asked about possible ways of cooperation with foreign law schools that might be of interest and requested that the respondents explain the expertise and resources of their legal clinics.

The US legal clinics were asked about their specialization and operation formats, expertise, and the kind of cooperation with Ukrainian legal clinics in which they were interested. In total, 33 Ukrainian law clinics and 14 American law schools took part in the surveys.<sup>5</sup>

Key findings of the Ukrainian legal clinics' needs assessment survey included:

- Twenty-two legal clinics in Ukraine noted that due to the security situation, they were limited in their ability to receive clients and conduct legal education activities;

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<sup>5</sup> More information about the surveys is available from the authors upon request.

- Fifteen legal clinics reported that many students had to flee, both within Ukraine and abroad, and were unable to work in the law clinic as before,
- Nine legal clinics indicated that faculty had to flee;
- One-third of legal clinics had to completely cease their activities; and
- Many legal clinics noted damage to their facility, including those in Irpin, Severodonetsk, Kherson, Berdiansk, Mykolaiv, Mariupol, and Sloviansk. For example, as a result of the shelling, the premises of the legal clinic were destroyed, access to clinical space was limited, equipment was damaged, and so on. Additionally, legal clinics were located in areas that are or have been temporarily occupied.

Among the most pressing needs of Ukrainian legal clinics were the following:

- Twenty-six legal clinics identified the need for placement of students and teachers in international (abroad) university programs. Fourteen legal clinics identified this need as urgent;
- Twenty-three legal clinics identified the need for access to legal databases, such as LexisNexis, Hein Online, and League Law. Seventeen legal clinics identified this need as urgent;

- Twenty-four legal clinics identified the need for training in digital technologies for operating a legal clinic remotely. Ten legal clinics identified this need as urgent;
- Twenty-two legal clinics identified the need for financial support for teachers; all twenty-two legal clinics identified this need as urgent;
- Twenty-two legal clinics identified the need for enhanced training of law faculty in certain areas of law; ten legal clinics identified this need as urgent;
- Twenty-two legal clinics identified the need for skills training for students and teachers (e.g. legal analysis, writing and argumentation, working with clients who have experienced trauma, and maintaining the psychological stability of counselors and staff). Seven legal clinics identified this need as urgent.
- Twenty-two legal clinics identified the need for involvement of more staff in the work of the legal clinic; six legal clinics identified this need as urgent;
- Twenty legal clinics identified the need for obtaining specialization in certain fields of law (for example, international humanitarian law, international human rights law, international criminal law, investigation

of the crime of genocide, and recovery of reparations); eight legal clinics identified this need as urgent;

- Seventeen legal clinics identified the need for enhanced training of students and teachers in certain areas of law; eight legal clinics identified this need as urgent;
- Seventeen legal clinics identified the need for technical support; five legal clinics identified this need as urgent; and
- Fourteen legal clinics identified the need for the introduction of a legal clinic in the regular curriculum of the university; six legal clinics identified this need as urgent.

Among the interests of the legal clinics and/or their law faculty, the survey showed the following results:

- Twenty-four legal clinics expressed interest in participation in the study of the legal needs of displaced Ukrainians;
- Nineteen legal clinics expressed interest in participating in legal counseling of Ukrainians together with foreign colleagues;
- Twenty-four legal clinics expressed both students and teacher interest in the study of international humanitarian law;



- Twenty-two legal clinics indicated that their students and teachers would like to study international criminal law;
- Nineteen legal clinics expressed interest in training their students and teachers in proving the crime of genocide;
- Twenty-two legal clinics expressed interest in training their students and teachers in the procedure of collecting reparations;
- Twenty-one legal clinics expressed interest in their teachers conducting mixed courses for students of the legal clinic together with professors and experts from other countries;
- Twenty-four legal clinics identified that their students and teachers would like to conduct joint research projects with foreign colleagues; and
- Twenty-three legal clinics identified that their students would like to do an internship or internship abroad.

The Ukrainian professors involved in the survey and initial planning of workshops included Nataliia Mazaraki from the State University of Trade and Economics, Nataliia Bondarchuk from the Legal Clinic of the Polissia National University, Liudmyla Rudenko from the Legal Clinic of Sumy State University, and Mariia Tsypiashchuk from the National University of Ostroh Academy.

In summary, the survey revealed that Ukrainian professors would value sessions that would teach students skills such as communication, negotiation, interviewing, case management, conflict resolution, fact development, and case briefing. Ukrainian students were surveyed as well, and the students responded with deep interest in further development of their practical skills. The survey clearly demonstrated that Ukrainian clinics and their students were pivoting from domestic-focused work to work that was in reaction to the war. The Ukrainian clinics were hoping to be able to respond to the effects of Russian aggression, including documenting human rights abuses, supporting victims of sex crimes and human trafficking, deportation of children and adults, kidnapping, and aiding in the prosecution of international war crimes. They also wanted to focus on the skills necessary to work with clients who have experienced trauma, and self-care for lawyers as they encounter their own and vicarious trauma.

At the same time, American law clinics were ready to provide assistance and cooperation to meet the needs of Ukrainian law clinics, including:

- support in strengthening the skills component of legal education, including all of the areas identified by Ukrainian professors and students above;
- training and research in
  - international humanitarian law,

- international human rights law,
  - international criminal law,
  - collection and preservation of evidence of war crimes, crimes against humanity, and genocide; and
  - recovery of compensation and reparations;
- advice on operating a legal clinic remotely; and
  - information on technological solutions.

#### **IV. Seminar Pedagogy**

With the results of the needs assessment, the US and Ukrainian clinicians determined the workshop series content. They divided the content into two semesters, with the fall semester workshops focused on skills training for Ukrainian students, and the second semester focused on the methodology of teaching international criminal law for Ukrainian professors. They divided the first semester's content into six workshop sessions. The second semester included four workshop sessions.

Finding a time that worked over the time difference was challenging. Ukraine is ten hours ahead of the US west coast and seven hours ahead of the US east coast. The Ukrainian law students, however, proved to be both quite eager to learn and quite

flexible, even under very trying circumstances.<sup>6</sup> Workshop sessions were held in the evening in Ukraine, which was morning in the US.

The workshop session planners thought carefully through the challenges presented in teaching via translation. There were several aspects to choosing the appropriate pedagogy: questions of language, translation, cultural intelligence and competencies, together with an understanding of time being of the essence and efficiencies in delivering the skills.

These issues, which often arise in teaching across borders, languages, and cultures, are heightened in the experiential teaching model. The planners were committed to moving past a frontal lecture style and utilizing the best methodologies of virtual clinical teaching - interactive exercises, simulation casework, small group discussions, back-and-forth conversations, and other techniques. Many of the methodologies developed and practiced while teaching virtually during the COVID pandemic were pressed back into service for the virtual workshops.

The planners were also well aware of the pragmatic, psychological, and emotional challenges the students were confronting each day. A good portion of the students and the professors were displaced from their homes and communities. Many had parents, partners, or other loved ones who were on the front lines. Some had lost family and friends in the war. Most were living at a distance from family and friends

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<sup>6</sup> Students attended class and participated even at times where there was bombing, blackouts, intermittent access to power, in bomb shelters, etc.

who had previously been close to them. There were times when the students attended from bomb shelters, were without electricity due to bombing or were otherwise not in a normal, calm, and stable optimal learning environment. Further, many of the Ukrainian law students and professors were experiencing various levels of primary and secondary trauma in addition to all that they were trying to carry as law students, citizens, and family members.

With all of this in mind, the planners deliberated as to the most effective session length, structure, teaching methodologies, and translation. They decided to honor the students' and professors' commitment to attending the sessions by making each workshop session one and a half hours long. This length seemed long enough to make the session meaningful for students but not longer than they might be reasonably able to attend. The planners also decided to split each session's teaching between two or three presenters as a way to keep the material engaging at a time when they expected that students might not have extended attention spans. This division also made the sessions accessible for students who might be able to join for a portion of a session but might have limited power or freedom to attend for the entire session.

The planners decided to focus each session on one general topic, with each of the co-teachers focusing on one aspect of the larger topic. Once the topics and dates were decided, US clinicians reached out to subject matter expert colleagues across the country and in the U.K. to present.

The presenters of each session coordinated in advance of their session, with some parallel teaching, others sharing case studies, and each building on the work of the other. Different sessions explored different teaching methodologies. Presenters had good success utilizing discussions, games, hypotheticals, and open-ended questions.

Some techniques that worked well in US-based virtual classrooms fell short during the sessions. For example, in online US classes, clinicians commonly send students into small group breakout rooms for discussion, and then the small groups report on their discussion to the whole class. When presenters divided Ukrainian students into breakout room discussion groups, however, the students often returned to the whole class without having fully understood or completed the work in the breakout rooms. The presenters were limited in their ability to meaningfully intervene in the breakout rooms to facilitate discussion because neither the live simultaneous translation nor the closed caption simultaneous translation was available in breakout rooms.

Given the nature of the precise legal work being taught and to ensure that all types of learning styles were accommodated, the planners had to ensure that the translation was precise and efficient, and spoke to the students' cultural backgrounds. Translation needed to occur across several modalities: professor lectures, student questions, professor responses, visual presentations, slides, case studies, and other teaching materials prepared to enhance student learning.

To accommodate these needs, the planners desired both simultaneous English-Ukrainian and Ukrainian-English interpretation. For the first session, Profs. Michelle Greenberg-Kobrin and Davida Finger hired an interpreter to ensure that they would be able to teach and answer questions in real-time, despite the language barrier. After the success of the first session, USAID Justice for All Activity in Ukraine supported the simultaneous interpretation of the Zoom sessions. USAID Justice for All Activity Legal Advisors Artem Shaipov and Ashot Agaian were instrumental in facilitating the sessions and ensuring effective communication between American and Ukrainian participants.

Closed captioning simultaneous translation on the Zoom platform was also utilized. This is essentially a translated caption service, which the Zoom platform offers in several languages. Some languages, like Ukrainian, are offered both in Ukrainian-English and vice-versa; other languages only provide a translation from English into the other speakers' language. Between the "belt and suspenders" approach of both oral and written simultaneous translation, the planners felt more confident that both the text and the context of teaching would be conveyed in both directions.

Written materials, such as slides and case studies, were dealt with a little bit differently. Sometimes materials were translated directly by Mariia Tsypiashchuk. Other times, written materials were prepared and modified in English, then translated by a US-trained Ukrainian lawyer, and then by Professor Tsypiashchuk. This allowed

for a conversation around the cultural impact of the case study or slides, and adjustments as necessary.

It is important to note that in addition to the skills objectives of each session, the workshop series also sought to generate awareness and support in the American legal clinical community about Ukraine’s system of legal education and the challenges it faces due to unprovoked Russia’s war against Ukraine and violations of international rules-based order. The series also sought to facilitate further international collaboration to provide support, training, and assistance to Ukrainian law schools’ clinical programs.

The following is a list of workshop dates, topics, presenters, and skills objectives:

**Session One: Thursday, August 4, 2022**

Topic	1. Basic principles of communication skills for lawyers, and  2. Information Gathering
Presenters:	Paul Holland, Associate Dean for Experiential Learning and Associate Professor of Law, Seattle School of Law



	Serge Martinez, University of New Mexico, Professor of Law, Economic Justice Clinic, Associate Dean of Experiential Learning, University of New Mexico School of Law
Skills Objectives	<ul style="list-style-type: none"> <li>● Introduce the interpersonal aspect of client relationships</li> <li>● Promote client-mindedness and story-mindedness</li> <li>● Develop approaches for beginning the client relationship and fact gathering during the first interview</li> </ul>

**Session Two: Thursday, August 25, 2022**

Topic	<ol style="list-style-type: none"> <li>1. Problem Solving and Collaboration: Building Blocks of Thoughtful Legal Practice, and</li> <li>2. Managing and Resolving Conflict: A Path Forward</li> </ol>
Presenters:	Michelle Greenberg-Kobrin, Clinical Professor of Law and Director of the Filmmakers Legal Clinic, Cardozo Law School

	<p>Davida Finger, Clinic Professor &amp; Director of the Law Clinic &amp; Gillis Long Poverty Law Center at Loyola University New Orleans College of Law</p> <p>Poverty Law Center from Loyola University New Orleans College of Law</p>
<p>Skills Objectives</p>	<ul style="list-style-type: none"> <li>• Introduce, practice, and deepen legal collaboration skills, legal problem-solving skills, and conflict-resolution skills.</li> </ul>

**Session Three: Thursday, September 8, 2022**

<p>Topic</p>	<ol style="list-style-type: none"> <li>1. Trauma-Informed Lawyering,</li> <li>2. Interviewing, and</li> <li>3. Trauma-Informed Interviewing</li> </ol>
<p>Presenters</p>	<p>Susan Felstiner, Clinical Professor of Law, Small Business Legal Clinic of Lewis and Clark Law School.</p>

	<p>Leslie Salzman, Clinic Professor &amp; Director, Clinical Professor of Law, Co-Director, Cardozo Bet Tzedek Legal Services, Benjamin N. Cardozo School of Law</p>
<p>Skills Objectives</p>	<ul style="list-style-type: none"> <li>• Develop a trauma-informed approach to creating effective attorney-client relationships.</li> <li>• Deepen interviewing skills learned in prior sessions.</li> <li>• Implement trauma-informed interviewing techniques.</li> </ul>

**Session Four: Thursday, September 22, 2022**

<p>Topic</p>	<ol style="list-style-type: none"> <li>1. Compiling, Assessing, and Determining the Importance of Facts: Building the Architecture of Your Case and</li> <li>2. Highlighting Which Facts are Important and Why: Important Considerations in Making Your Case</li> </ol>
<p>Presenters</p>	<p>Elizabeth Goldman, Clinical Professor of Law, Director, Securities Arbitration Clinic, Benjamin N. Cardozo School of Law.</p>

	<p>Serge Martinez, University of New Mexico, Professor of Law, Economic Justice Clinic, Associate Dean of Experiential Learning, University of New Mexico School of Law</p>
<p>Skills Objectives</p>	<p>Skills Objectives:</p> <ul style="list-style-type: none"> <li>• Develop a strategic approach to collecting and assessing facts to enhance effective attorney-representation.</li> <li>• Deepen understandings of how to build an effective case.             <ul style="list-style-type: none"> <li>• Implement techniques to weigh and assess facts presented in relationship to goals of representation.</li> </ul> </li> </ul>

**Session Five: Thursday, October 6, 2022**

<p>Topic</p>	<ol style="list-style-type: none"> <li>1. EQ and Resilience, and</li> <li>2. Managing yourself while working with trauma</li> </ol>
<p>Presenters</p>	<p>Susan Felstiner, Clinical Professor, Lewis and Clark Law School</p>

	<p>Marcia Levy, Associate Professor/Director, Legal Residency Program, UNH Franklin Pierce School of Law</p> <p>Olivia Bushell, Senior Pro Bono Coordinator Attorney, Skadden, Arps, Slate, Meagher &amp; Flom LLP</p>
<p>Skills Objectives</p>	<ul style="list-style-type: none"> <li>• Identify ways to recognize emotions and the sources of emotions;</li> <li>• Develop and apply tools to control and direct emotions;</li> <li>• Examine how personal biases, trauma and impulsive behavior can interfere with ethical cooperation among clinic colleagues and representation of clinic clients.</li> </ul>

**Session Six Thursday, October 20, 2022**

<p>Topic</p>	<p>Managing Clients, Matters, Colleagues and Time</p>
<p>Presenters</p>	<p>Michelle Greenberg-Kobrin, Clinical Professor of Law and Director of the Filmmakers Legal Clinic, Cardozo Law School.</p>

	<p>Paul Holland, Associate Dean for Experiential Learning and Associate Professor of Law, Seattle School of Law</p>
<p>Skills Objectives</p>	<ul style="list-style-type: none"> <li>• Identify ways to manage clients, develop and apply tools to communicate effectively with clients.</li> <li>• Examine how lawyers balance and prioritize time to represent clients professionally.</li> <li>• Learn skills to manage conflict well with clients and those across the table.</li> </ul>

Seven Ukrainian law schools participated over the course of the workshops, including two law schools that had relocated from eastern Ukraine to the western part of the country and had resumed classes remotely. Participating law schools included Sumy State University, Polissia National University, Poltava University of Economics and Trade, Vasyl' Stus National Donetsk University (which has been in Vinnytsia since 2015), National University of Ostroh Academy, Uzhhorod National University and State University of Trade and Economics. Students were both undergraduate and

master's level. Attendance ranged from 28 to 104 students. Due to air raid alerts and interruptions in connectivity caused by Russian missile strikes on the electrical infrastructure, some sessions had more students than others. The sessions were videotaped to allow students who could not attend the live presentations to watch them later.

Students were encouraged to post their names using the English rather than the Ukrainian alphabet and to keep their cameras on. While most students complied with the first request, many students kept their video off, which could have been due to unstable internet, participating from an air raid shelter, being in a room shared with family members engaged in evening activities, not wanting to be video recorded or various other reasons.

## **V. Efficacy of the Seminar Series**

The planners sought feedback immediately after the sessions and later surveyed presenters and students to determine the efficacy of the workshop series.

Presenters were asked to reflect on:

- Types of materials they prepared for their Zoom workshop (e.g. lecture, slides, case studies, simulation exercises, discussion questions, etc.);
- How many hours they prepared;
- Challenges and opportunities of teaching in translation;

- Student engagement;
- Thoughts on the core benefits of the collaboration;
- Ideas about future collaborations; and
- Their willingness to present in the future.

Most of the presenters prepared for approximately four hours for their workshop. Typically, presenters were working in areas of deep expertise, as the workshop was crafted to match presenters with topics in which they had demonstrated interest and expertise.

Presenters were impressed by the deep appreciation for education and the determination to learn shown by Ukrainian students. The students realize their future role in leading the country and its legal system during and after the war, and the importance of education to prepare them for that role. Even though the sessions were held at the end of their day, and the students were situated in difficult and often traumatic environments, the students arrived early to the Zoom room and actively participated in the workshops.

Presenters were surveyed following the completion of the course. The presenters all prepared a lecture plus at least one other pedagogical tool.



- Seventy percent of the faculty prepared PowerPoint presentation, which was translated into Ukrainian.
- Forty-two percent prepared a case study or simulation exercise, which was also translated and then either utilized in the larger group or in breakout sessions.
- Thirty percent prepared discussion question, which were translated and then either utilized in the larger group or in breakout sessions.
- Fourteen percent prepared a learning game or other type of interactive learning tool.

When asked to reflect on the challenges of teaching in translation, approximately sixty percent reflected that it was fairly challenging. The other forty percent found it slightly challenging. The faculty commented that the translators were excellent, and the combination of the simultaneous translation and the closed captioning were very effective for the portion of the seminar where everyone was in the large zoom room. The challenges, which had not been anticipated, were primarily related to the use of breakout rooms where translation was not available.

The faculty found the students very engaged, or somewhat engaged, depending on the timing of the seminar as it related to the situation in the country at the time.

Faculty reflections included the following:

- The value of providing an opportunity to students in a war zone to focus on their professional development and set aside the circumstances around them;
- The value of transmitting and/or reinforcing substantive knowledge and providing solid lessons on key lawyering concepts;
- The ability to collaborate with scholars and students in harms' way;
- The ability to demonstrate support and concern;
- Encouraging the development of clinical/experiential opportunities and use of clinical pedagogy across borders;
- Creating connections between clinicians and developing relationships with fellow collaborators and fellow presenters;
- The exchange of ideas and perspectives, the opportunity to learn from each other and learn how to join our respective resources and skills to support and meet needs;
- The opportunity to explore different ways to present material virtually to large audiences; and
- The value in shared experiences as a way to create bridges. Varied perspectives, backgrounds and lived experiences make for a richer learning experience for all.

Immediately after the workshops, students were asked to share their thoughts. Here are some of them:

“The experience we gained at soft skills training is very valuable. Now, in the era of the 21st century, when everything is developing rapidly, we - lawyers, have to keep up with the times. Since soft skills are aimed at comprehensive problem-solving, lawyers must possess these skills. We also developed our communication skills at the trainings. We express our gratitude to all lecturers who shared their experience and information with us, answered our questions and helped us figure out what was unclear. After all, it is important to adopt views of foreign colleagues on different areas of law, exchange experience and implement the acquired knowledge in everyday life.”

(Anna Boleiko, Legal Clinic of the Polissia University).

“First of all, I am grateful for the opportunity to listen to interesting and meaningful workshops, as well as for the opportunity to practice my English. These classes were as comprehensive and useful as possible. The speakers managed to focus on those topics that will definitely come in handy on the way to the legal profession.

I was actually very interested to hear about how legal clinics work in America, because it's a little different from our legal clinic model. The topic of interviewing and consulting clients was no less informative. Because a trusting relationship with the client and the ability to ask the "proper" questions are practically half of the lawyer's work done.

The topic that I was incredibly interested in was "Emotional Intelligence". We discussed individual protective factors and how to be resourceful and control one's emotions. I think this is extremely important because work should bring pleasure and not become a burden in our lives.

Once again, I want to thank each of the speakers for taking the time to answer every question and share their experiences. I look forward to such meetings in the near future." (Daiana Lehshuk, 'Pro bono' Legal Clinic of the National University of Ostroh Academy)

Later, a survey was conducted which asked the students and Ukrainian legal clinical professors who participated in workshops to reflect on their experience. Responses were collected from twelve students and six professors. The survey asked participants to rate each topic on a scale of 1 to 5, 5 being the highest. The survey revealed:

- 17 of 18 respondents rated the enthusiasm of the speakers a 5;
- 13 to 15 rated the practicality, quality, and presentation of the material a '5';
- 11 felt that the material was completely new to them (rating '5');
- the majority of respondents were satisfied with the sessions duration (12 respondents rated '5', 4 respondents put '4' and 1 put '3');
- the majority of respondents were satisfied with the quality of the translation (4 did not use and 11 rated the translation maximum).

The skills the respondents felt they have developed the most were:

- trauma-informed lawyering (14 rated '5' and 4 - rated '4');
- emotional intelligence, conflict resolution, communication skills, time management, and delegation, and case briefing (11 to 13 respondents rated these skills '5').
- Separately the positive effect on developing psychological and empathic attitudes was mentioned.

Among the top-rated and valued workshop sessions, the participants named:

- Trauma-informed lawyering,

- Basic principles of communication skills for lawyers,
- Problem Solving and collaboration and conflict management/conflict resolution, and
- EQ and Resilience, and managing yourself while working with trauma.

Six respondents indicated that the session on time management, matter management, and delegation was the least useful or practical because they felt they already had some good knowledge and skills related to this. At the same time, participants mentioned that the speaker presented the topic in an interesting and interactive manner.

About half of the respondents explained that there were no 'not useful' workshops and they liked each of them a lot.

Answering the question "What was the greatest value of this cooperation?" almost every respondent pointed to the unique opportunity to share experiences and listen to and discuss different points of view, including discussions around practical legal matters, networking, and academic mobility. Some of them indicated that they are very interested in internships or study programs in the US.

Other survey findings relate to the future steps and lessons learned discussed below.

In addition to the post-workshop feedback and online survey, separate focus groups with Ukrainian legal clinical students and teachers were conducted. Each focus group had five participants.

Overall, those discussions detailed the online survey findings. However, participants in the focus groups were more open to explaining what they liked the most and what they expected from future cooperation. Law clinic professors stressed that in addition to their topical interest, the workshops were useful in terms of methodological approaches and brought many ideas on how to upgrade their own work in law clinics with their students, clients and other target groups. For instance, one of the participants said: "... I concluded that the main problem in our educational institutions is that we give a lot of material, but forget that the center should be the person and her or his needs". Another participant shared that "the courage of colleagues inspired me to improvise at trainings."

Both teachers and students pointed out that:

- they liked the interactive manner of the workshops and especially - building teaching on real-life cases and examples;
- the series of workshops was a unique opportunity to practice their English language skills. The workshops motivated them to learn English better and not use interpretation next time - despite, they said - interpretation was excellent.
- the number of workshops (6) and their duration (1.5 hours) were optimal (although one or two students said that some short breaks and more games or interactive exercises would make the workshops even more dynamic and productive.

## **VI. Lessons Learned**

We believe that this experience presents several important learning moments for the clinical community, in particular as it relates to the clinical community's ability to assist and offer support during cross-border crisis situations. Following here are recommendations to improve future cooperative efforts.



### 1. Leverage Relationships

Our collaboration had a head start from the relationships that Prof Leah Wortham developed through her work with Ukrainian colleagues since 1997. Prof. Wortham was able to direct US clinicians to leaders of the Association of Law Clinics of Ukraine. Because those leaders knew and trusted Prof. Worthman, they trusted and readily accepted the overtures of the US clinicians.

Relationships between US colleagues also contributed to the collaboration's success. We were colleagues from across the country. Some of us had not met or worked with the others before. We relied on relationship networks, colleagues who knew colleagues who knew other colleagues, to fill the presenter roles. The relationships built and strengthened during these collaborations will facilitate future collaborations both in the US and abroad.

### 2. Don't Allow the Perfect to Be the Enemy of the Good

Faculty in both countries dove into the partnership without knowing the depth or breadth of the work to be done. Our compass was our desire to use our expertise to support Ukraine. Although we believe the seminar could, of course, have benefited from a longer and deeper planning process, our Ukrainian colleges were eager to get started, we were eager to begin to offer the requested support as quickly as possible, and neither party knew when facts on the ground might change to render such a program unworkable.

We put together the seminar series in a short amount of time. The presenters didn't know the culture of Ukrainian legal education or what to expect from the student audience. The Ukrainian professors did not know how their students would respond to ways of teaching that were more common in the United States law school system.

We built support as we went. We did not have any formal funding at the beginning. Profs. Finger and Greenberg Kobrin generously funded the interpretation of the first session. The success of that session led to support from USAID for the simultaneous translation of future sessions. After we identified the topics of most interest to our Ukrainian colleagues and their students, we reached out to clinical colleagues in the United States with requests to present. They readily accepted our invitations. We are grateful for their generous donations of time and effort.

### 3. Seek Mutual Benefit

Collaborations are most successful when all partners are committed to and benefit from the work. In this case, the ongoing Russian aggression kept all parties motivated and committed to the project. Both US and Ukrainian colleagues felt that this project was a way they could contribute to the war effort and make an impact now and in the future. The students, realizing the importance of their future role, were eager to learn. Presenters and students alike gained knowledge during the sessions. Presenters gain a deeper understanding of the subject matter by preparing their presentation and

teaching to students from a different culture of education. Ukrainian professors and students gained insight into US skills education common in US legal clinics.

#### 4. Leverage Technology

Two years into the pandemic, video conferencing was part of our daily lives. Many of us had taught classes where we had never met our students in person. Everyone was comfortable with video conferencing. Our comfort with video conferencing allowed us to frequently meet across continents and time zones. Being able to see each other and recognize each other's voices, we got to know each other better. Sharing information and links through chat sessions strengthened our planning progress such that we were able to put together the workshops in a short amount of time. We also had experience and comfort teaching via video conferencing and had each developed techniques for engaging with students online. Students had experience and comfort with attending online classes. Zoom's capacity for simultaneous interpretation and translated close captioning maintained the flow of workshop presentations and discussions.

### 5. Allow Time for Connecting

Looking back, perhaps we went too fast. Spending time at the beginning of the workshop series for icebreakers and introductions would have helped build connections and community among presenters and participants. The students, being from different law schools, did not all know each other. They did not know the other professors or the USAID facilitators. This, in addition to the stress and anxiety of the country being under attack, may have made the students wary of turning on their cameras and participating in discussions. Spending some time at the beginning of the series introducing the students to each other and the facilitators may have helped the students feel more comfortable turning on their cameras and participating in discussions. In the feedback form, Ukrainian students recommended providing more options for exchanging contacts and more time engaging students in the conversation. They also suggested that lines of communication be established with the presenters and that a prize in a learning game be a meeting with the presenter.

### 6. Use Real Cases

The Ukrainian students recommended that presenters present more real cases and analyses of the theoretical material in their examples. They desired more examples from the presenters' work, discussions of more issues that arise in practice, and examples of how to apply the skills in practice.

### 7. Use More Visuals

The Ukrainian students suggested more visuals in the presentations, including diagrams and infographics. Given the language and cultural differences, using visuals in lieu of text makes sense.

### 8. Additional Student Recommendations

Additional student recommendations included broader coverage of topics, providing a general description of the legal aid system in the US, and involving more specialists from other fields. A different schedule for the workshops was suggested, such as holding them more often during the week. They liked the presentation format and suggested creating a bank of workshops available on demand. They even suggested adding homework! They also suggested more advertising and encouragement of students to attend from their Ukrainian law clinic faculty.

## **VII. Next Steps**

The relationships developed during this partnership paved the way for future collaborations that have already begun. The partnership completed the second workshop series on methodologies for teaching international criminal law in the winter of 2023. The AALS Clinical Legal Education Section and USAID generously

sponsored the attendance of a delegation of Ukrainian clinical faculty to the 2023 AALS Clinical Conference, where further relationships and collaborations developed.

Building on those relationships, school-to-school collaborations, are a possible next step. Student-to-student collaborations are in the works to allow students the opportunity to develop relationships. Four Ukrainian students, two each from Uzhhorod National University and Kyiv Polytechnic Institute participated in Lewis and Clark Law School's Small Business Legal Clinic 2023 Summer Session under the supervision of Professor Susan Felstiner.

The feedback survey, follow-up focus groups, and another round of discussion among Ukrainian law clinic students and professors showed that they are very much interested in knowing better how US law clinics are organized, how they operate, how the students are selected, whether law clinics are always a part of the curriculum, if US law clinics use digital technologies and/or AI to manage work and cases, communicate and work with a client, and other operational aspects. Thus, organizing joint presentations, such as a 'law clinic fair' might be an option that could provide a platform for the clinics to present themselves, and for US and Ukrainian law clinics to promote networking and further cooperation ties.

In addition to becoming familiar with the US law clinic system, Ukrainian legal clinic students and faculty would like to continue participating in skills and substantive law training with US and other foreign colleagues. They specifically indicated an interest in topics such as emotional intelligence and the psychological aspects of working with traumatized clients, military personnel and veterans; acquiring other professional lawyering skills, professional ethics, and applying alternative dispute resolution - like mediation, negotiation, etc. Regarding the substantive law areas, interests include the national system of criminal law and justice, combating domestic violence, gender equality and non-discrimination, and the various aspects of international law related to armed conflict such as International Humanitarian Law, International Human Rights Law, International Criminal Law, prosecuting war crimes, reparations and others.

Different possible formats were mentioned as desired, such as guest lectures and/or similar series of online workshops. Additional cooperation among Ukrainian and US law clinic professors could include the possibility for Ukrainian law clinic professors to attend some online classes of US colleagues to observe methodologies and approaches of teaching and training within the legal clinic, joint classes, sharing syllabi, and even possible study visits for Ukrainian law clinical staff and students. In turn, US law clinic professors are interested in observing Ukrainian law clinic professors' methodologies and approaches to teaching and training within their legal clinics.

A specific focus shared by students and some professors was to pursue greater connections among Ukrainian and US law clinic students. Some ideas for this include creating a common communication channel, periodic informal meetings within the framework of group work and student meetings (once every three months) for joint discussions and exchange of contact information, more events for students, some joint campaigns, friendly competitions (friendly moots, counseling, etc.) and, probably, engaging students in research projects.

### **VIII. Conclusion**

While the original goals of this collaboration were to empower the next generation of Ukrainian first legal responders with legal skills, the planners and presenters also benefited. Strong relationships were built that will continue far into the future. US and Ukrainian presenters and participants learned about each other's system of legal education and legal culture. Feedback from participants and presenters provided recommendations for improvement and indicated a strong desire for future collaborations. Technology allowed for overcoming language and cultural barriers. This collaboration is one model that generated innovative ideas for future work together teaching legal skills in times of war and, hopefully soon, in times of peace.