Small Business Clinic Provides
Law Students Opportunity to Gain Practical Experience

By Casey Kirchberg

What is the biggest complaint from law firms regarding law school graduates? They have learned little, if nothing of practical value while in law school. In fact, according to a survey by American Lawyer, 47 percent of clients have effectively told firms to leave out names of first or second year associates on their bills. I write to share how the University of Cincinnati College of Law’s Entrepreneurship and Community Development Clinic (ECDC) provided me with a unique, practical experience that both law firms and clients desire.

The ECDC is a pro bono transactional law clinic directed by Professor Lewis Goldfarb and consists of third year students who primarily assist clients of limited financial means with business transactions. This includes helping clients determine what type of entity to establish, and then helping them establish that entity; preparing, reviewing, and negotiating contracts; helping them obtain necessary licenses and permits; and providing trademark or copyright advice.

The ECDC offers unique benefits to both the future attorneys enrolled in the program and the clients who receive their services. Students are selected after an interview process, and in return for their services receive four credits toward their degree. Businesses apply for legal assistance from the ECDC by answering questions about the business, its legal needs, and its financial situation. Based on the application, Professor Goldfarb makes a determination as to whether the applicant has the means to afford legal services, as well as whether the legal issues presented lend themselves to beneficial student learning experiences. Students are then able to represent their assigned clients using their certification as legal interns from the Supreme Court of Ohio.

While interning for the ECDC last semester, I gained valuable skills that could only be learned through experience with clients. I helped two clients choose and organize limited liability companies, and drafted two multi-member operating agreements. I learned how to prepare for and run client meetings, and comprehensively explain difficult legal matters. I also learned what ownership over a client’s legal matters entails, the importance of due diligence, and how to keep track of billable hours. Unfortunately, these skills are often omitted from law school courses. Luckily for me, the ECDC not only taught me how to perform these tasks, but also afforded me the opportunity to apply them in the real world.

Not only was the ECDC a great practical experience, it was also extremely gratifying. I had the opportunity to assist Bryant “Rico” Gaines, who re-entered the world in 2012 after he was exonerated through the work of the law school’s Ohio Innocence Project after spending 9 years in prison for a crime he did not commit. Rico had always dreamed of starting his own landscaping company (now “Landscaping & Beyond, LLC”), and I am very grateful to have been involved in his incredible journey. Working with Rico and co-member of Landscaping & Beyond, LLC, Carlos Gipson, reminded me why I came to law school in the first place: to make a difference in people’s lives and to experience the satisfaction of overseeing matters of importance. For that, I have only the University of Cincinnati College of Law and the ECDC to thank.

The ECDC is an invaluable clinic, not only for students, but for potential business owners who cannot afford legal services. The ECDC is poised to become even stronger after partnering with “The Brandery,” a nationally ranked startup seed accelerator. The Brandery Fellowship Program will provide even more opportunities for law students seeking practical experience, and I am anxious to provide pro bono assistance to the ECDC and the exciting new Brandery Fellowship Program in the future.

Kirchberg is a third year law student at the University of Cincinnati who is especially interested in business and bankruptcy. He is currently an extern for Chapter 13 Trustee Margaret A. Burks, and is a former extern for the Honorable Jeffery P. Hopkins, United States Bankruptcy Court, Southern District of Ohio.

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