

# University Legal Clinics In The Fulfillment Of Women And Children Rights

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**Abstract:** This article is motivated to the research experiences of university legal clinics at Faculty of Sharia and Law UIN Sunan Gunung Djati Bandung, Indonesia and Faculty of Law Monash University, Melbourne, Australia. The existence of university legal clinic is not widely known in Indonesia although it has grown quite long along with the development of professional legal aid organizations. The main program of the institution is not only providing legal consultancy and legal services, but also provides practical legal assistance and legal aid to justice seekers, especially for the fulfillment of access to justice and the rights for women and children. Therefore, this article will showcase some interesting experiences about the role of paralegal students in providing legal consultation, legal services, and legal aid in family law scope to justice seekers, women, and children who do not yet have a legal identity within university legal clinics Faculty of Sharia and Law UIN Sunan Gunung Djati Bandung, Indonesia and Faculty of Law Monash University, Melbourne, Australia.

**Index Terms:** access to justice, family court, university legal clinics, women and children rights

## 1 INTRODUCTION

The existence of university legal clinics does not seem to be widely known among the public. At the time, the public is more familiar with the legal aid institute or law firm's office as a social organization that contributed in legal aid, legal consultation, legal services, and legal assistance to certain people and to the community in general. However, both organizations are very well known as a professional activity or non-prodeo legal aid institutions, so that it is only capable for the societies who can access legal aid while the poor people are not all unlucky peoples to get legal aid services because they do not have enough to pay the professional advocates, lawyers, or paralegals.

The practice of legal consultancy, legal services, and legal aid at university legal clinics is essentially the same with the legal aid organizations in general[1]. It is not only conduct legal aid practice within the university environment, but also around the court area. Nasution (2007) explained that this is done through cooperation between universities and the judiciary institution. Thus, the existence of university legal clinics around the court is to assist and help the justice seekers or the poor people in obtaining legal aid access itself[2].

Based on the experience recorded during the period of 2012-2016, University Legal Clinics Faculty Sharia and Law UIN Sunan Gunung Djati Bandung Indonesia worked together with Australia Indonesia Partnership for Justice (AIPJ) in the fieldwork of university legal clinics development, which the institution has proven to be a "positive magnet" for universities to contribute itself positively to provide legal consultation and legal assistance services for justice seekers, such as the poor, single parent, children, and persons with disabilities.

The important notes released based on the empirical research from 2011 to 2015 that University Legal Clinics Faculty Sharia and Law State UIN Sunan Gunung Djati Bandung showed that they have directly contributed in assisting the justice seekers through the practice of legal aid in

Religious Courts in Sumedang West Java Indonesia[3]- Although the practice of legal aid is largely through non-litigation, but the interesting point about the performance of the program is almost fully managed and implemented by the paralegal students and totally lacks the cents of financial support from the university. Mostly they have just provided free legal assistance (prodeo) and only received the material contribution on the services which they have been provided by assisted the clients.

In addition, it is different with Family Law Assistance Program (FLAP) and Monash Oakleigh Legal Service (MOLS) at Faculty of Law Monash University Melbourne Australia. They have successfully assisted 150 clients per year and very well known by the general public to help anyone who needs legal aid services through litigation and non-litigation[4]. The funding support is provided by the Victorian State Government, assisted by Victoria Legal Service, and became the pilot project for university legal clinics development program which is now fully known and directly accessible to Children Court and Family Court of Australia in Melbourne City and Dandenong District, Victoria State, Australia

## 2 LITERATURE REVIEW

### 2.1 The Concept of University Legal Clinics

University Legal Clinics has been defined in different perspectives throughout the country, sometimes it is also differently defined in the faculties of sharia and law, but in some it is equally understood in several countries. For instance, in Black Law Dictionary (1990), A legal clinic (also law clinic or law school clinic) is defined a law school program providing hands-on-legal experience to law school students and services to various clients. Clinics are usually directed by clinical professors. Legal clinics typically do pro bono work in a particular area, providing free legal services to clients[5].

The involvement of the students under the guidance and supervision of the expert lecturers are generally performing many scientific studies such as research, legal drafting, and discussions to solve various legal cases faced by clients. Even in some cases, there are some university professors who have taken a part in providing of legal consultancy services to clients before they send the formal data of legal proceedings to the court[6]. Many law students are involved and involved as

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the volunteers or paralegals at university legal clinics within learning process and taking experience in providing legal assistance to the clients[7].

Within the scope of higher education regulation, ILRC (2009) has explained that the term of legal clinics can be defined as a learning process with the intention of providing law students through practical knowledge, skills, and the transformation of values in order to realize the service law and social justice to the justice seekers, conducted by the basis of interactive and reflective teaching methods[8].

According to modern educational experts, the knowledge competency element is the most important aspect related to practical knowledge for law university students. While social justice becomes the focus of legal and human rights education carried out in various examples of knowledge and skills in law which must be mastered by every law student. Therefore, to meet the ideal competencies, every law student must not only learn the legal concepts and theories in college, but they also need to be supported by practical experiences at university legal clinics.

Similarly, the legal skill component is more focused on the ability and mastery of law students in law enforcement practices inside and outside the court, such as lawyering technique, advocacy skills, and others. In this context, the legal value component becomes the most important moral foundation and must be owned by every law student related to their alignment in upholding the values of law and social justice in society. The policy must be regulated under the academic consideration for all law students who will be expert in the field of legal practice[9].

Moreover, it is also related to the quality standard of law graduate and the role of university for social development program in which university legal clinic is a place for the students for providing consultation services and legal assistance to the clients. In this context, this expertise reflects the real efforts taken by individuals and legal aid agencies to serve the needs of legal services to clients. This is very relevant to the function of providing legal advisory and legal assistance services due by the university legal clinics program as part of academic activities offered by a person or legal aid institution to the community or someone who is served and intangible or everyone who cannot be owned by any other person.

Subsequently, the university legal clinics is also simply seen as the embryo of clinical legal practice that comes from the lecturers and law students at universities that aim to provide legal consultation, legal assistance, and legal service to the community before they actually go directly to the more professional sphere in legal aid institution or become the real of law enforcement apparatus. However, this does not imply that the lecturers and student paralegals at the university legal clinics are considered not as proficient as lawyers or professional advocates, due to the fact that many cases assisted and accompanied by the lecturers and law students are fully handled in a professional manner.

In practice, the consultation and legal assistance services practiced at university legal clinics include several civil and criminal objects. The nature of university legal clinics is as a starting point container for the justice seeker community who wants to legal protection and justice guarantee over any case or legal event it faces in the form of legal consultation,

discussion, audience, mediation, service of making a suit or petition to the judiciary and other legal services performed outside the court system.

Currently, the development of university legal clinics is not simply giving any benefit for the law students to improve their skills and experiences, but also its existence also shows a significant role in helping the clients who need to legal aid service and access to justice in the various areas of law such as the private or public law, family law, commercial law, contract law, and arbitration law, including also immigration law, environmental law, intellectual property rights, defense law in criminal justice, criminal prosecution law, human rights law, international criminal law, etc.

## 2.2 The Importance of University Legal Clinics

The presence of university legal clinics is part of the implementation of the role university in terms of community service. In addition, it be the practical place for law students to prepare their works in the field of legal practice. This is where legal education based on legal clinics is needed. University legal clinics is commonly located in a small part of the institution in the legal field, its function is to solve legal proceedings at the initial level. It is also derived from the concept of law enforcement and the representation of the concepts and mechanisms of legal settlement both inside and outside the court system.

The most important thing derived from the practice of university legal clinics is the students who are members of the clinical legal education program will have the obligation and responsibility to provide legal assistance directly to the community who cannot afford. It is intended to hone the skills, experience, and social sensitivity of the students to support each other in the life of society and nation in the future. In many cases no all law students can intake university legal clinics education program because of several reasons such as the difficulties of conceptual and practical law understanding, practicing the knowledge and skill within the university legal clinics, and the limitation of space for them to join in this program.

Clinical law education program is ideally not only an academic writing in various journals to fulfill the academic obligation or to promote the ideas of legal development, but also need to be implemented in practice which is part of the scientific discussion with the other experts. Thus, due to the abundance of legal content in various issues, it is certainly more useful if many topics in legal discussion that produced by scientific research and can be published in journals. However, it is very important to enrich the sharing knowledge of the ever-superior community, which can be taken to benefit many law enforcement and human rights, at least through the university legal clinics[10].

In this regard, clinical law education program at the universities becomes part of community service and must be supported by the government to fulfill the rights to law and access to justice for all society. The legislation of the legal aid law is one of the efforts for the government and the state in ensuring the constitutional right for everyone to obtain equitable recognition, to guarantee, to protect, and to fulfill legal certainty and equal treatment before the law as a means of human rights protection.

In the Indonesia legal system, the purpose of clinical law education program refers to the mandate contained in the constitution to fulfill the right to law and justice and it is also relevant to the objective of the Law of Legal Aid Number 16 of 2011, where the government is obliged to: (1) prepare and stipulate the policies for the provision of legal aid; (2) prepare and establish a legal aid standards based on the principles of the provision of legal aid; (3) arrange the draft of the legal aid budget plan; (4) manage the legal aid budget effectively, efficiently, transparently and accountably; and (5) prepare and submit reports on the provision of legal aid to the house of representatives at the end of each fiscal year.

Referring to the regulation mentioned above, clinical law education program is very important to be taught by the law students in higher education institution with the following objectives:

1. Clinical law education program is aimed to provide the structure of educational opportunities for the law students to augment their experiences in actual practice of legal service or through the practical simulation of legal assistance to the clients, as well as to acquire the knowledge, expertise, and values of the experience;
2. The university legal clinic is intended to supplement support for legal assistance to marginalized people or community;
3. The university legal clinic is intended to install the spirit of public service and social justice, and to establish the basis for the development of legal profession responsibilities;
4. The supervisor lecturers at university legal clinics may contribute to the development of a scholarship on the skills and theories of practical law that link to the academic world with the parish organization more closely;
5. The using of interactive and reflective teaching methods is motivated to perform the student role in several activities like mentioned above, which are not obtained in formal college. Furthermore, this reflective method of learning has also proven to be the most effective way of enduring the student's learning;
6. The existence of university legal clinics is aimed to strengthening the role of the student paralegal towards the realization of civil society through maintaining and caring for the professional responsibilities of lawyers to obtain the emphasis of legal aid service needs and to protect the right to justice for all marginalized peoples.

The development and challenges of clinical law education program today seem to be more complex. However, the orientation of clinical legal education developed at the university which can be seen in the terms of its function within three important tasks, such as education, research, and social community service programs. However, all three functions must be implemented to be in accordance with the role of higher education. In relation to the current legal education task, it seems necessary to see how the curriculum used that will process the input - in this case is the students as the input - into output - i.e. graduates of law faculty who are proficient in the field of legal expertise as expected.

The importance of the existence of university legal clinics in higher education institution is established so that every Bachelor of Law has proper competence. For example, the desired competence for any Bachelor of Law wishing to be

produced by Faculty of Sharia and Law UIN Sunan Gunung Djati Bandung Indonesia at least becomes a researcher, teacher, practitioner, or consultant in the field of law. Each graduate of the Faculty of Sharia and Law UIN Sunan Gunung Djati Bandung is required to have the ability standard to understand, design, implement, and operationalize the legal concepts and theories, including skills in using information technology system, compile, analyze and solve the problems in the field of law comprehensively.

Thus, the existence of university legal clinics can become one of the ideal "axis" for all lecturers to foster student talent and motivation, and to form a good vision for future career opportunities. Therefore, the role university legal clinics cannot be separated from the existence of similar legal aid agencies to always provide healing and coaching to the students under the guidance of the lecturers in improving their academic and practical interests in the field of legal proficiency.

### 2.3 The Development of University Legal Clinics Models

As explained earlier, university legal clinics is a media for the students at faculty of law whose essence aims to provide clinical-based legal education program and to put forward the knowledge, practical skills, and values, which is to develop the student's knowledge, to have practical skills in law, and encouraging them to have the values of social justice and professional ethics. Clinical legal education program is actually based on legal clinics at higher educational institution that can be done at least in three stages:

1. Planning component is the preparation time for the students at university legal clinic program. At this stage, the law students are firstly equipped with knowledge that is directly related to practical activities to be implemented in the practice of legal aid service by students, such as:
  - a. Mastery of legal theory;
  - b. Ability to analyze cases;
  - c. Ability to apply legal theory.
2. Experiential component is the stage for the students to perform his or her legal skills in in the practice of legal aid service, which includes:
  - a. The ability to interview the clients (client interviewing exercises);
  - b. The ability to negotiate exercises and transaction exercises;
  - c. The ability to formulate arguments and defenses (legal writing and argument drafting programs).
3. Reflection is the stage for the students to carry out the evaluation and assessment of the learning processes that have been passed, which includes:
  - a. The ability to self-evaluate;
  - b. Ability to hold peer review;
  - c. Ability to accept criticism from supervisor.
4. Basic knowledge that must be possessed by the students in practicing the wheels of legal education in the university legal clinics environment are:
  - a. The principle of social justice and its application in the professional field;
  - b. The ethics of the legal profession;
  - c. Interview skill.

In practice, it can be said that university legal clinics program is run by the student paralegal under lecturer supervision, which is governed by the same rules against the Legal Aid Institute outside the university. Meanwhile, the existence of university legal clinics at the scope of university role became its operational base. But in some countries like Africa and Latin America, law offices in the community providing legal services are also called legal clinics. All faculty of law may run a legal aid service in communities through university legal clinics as a special place for local alumni, students, lecturers, and volunteers to provide the practice of legal aid service, legal assistance, and legal consultancy.

Many different types of university legal clinics program available and run by the universities, the types vary greatly and depend on many factors, both internally and externally[10]. Based on the location of the practice, there are two types of university legal clinics that are at the scope of university (in-house clinic) and outside the university (out-house clinic). Each has its own characteristics and models. University legal clinics program from out-house clinic consist of:

1. In externship scope, the students are working at law firm office, judicial office or the government office under the supervision of a practicing lawyer or a government official;
2. Community Clinic, where the students work directly in the community;
3. Mobile Clinic, where the students visit the community to give legal opinions and or to notify the community of their rights or to advice on certain types of legal issues and how to solve them.

The university legal clinics program also may be practiced from in-house clinic which consist of:

1. Life client or real client clinic, where students provide legal services directly to clients;
2. Simulation clinic, in which students simulate real life on the basis of role-playing in order to train students' faculty skills. Usually real cases are used in this simulation clinic.

The most popular of university legal clinic model is often termed the street law clinics, which provides legal and rights education such as Junior High School and Senior High School students as well as those who tend to be marginalized. In addition to discussing issues on citizenship rights, students can also discuss about basic legal understanding such as the sale and purchase of land, the writing of wills and others. But as part from all its forms, the university legal clinics are also features as follows: (1) a component to teach skills and the values about social justice and addressed to planning component), (2) a component to apply those skills within a practical setting (intended for practice settings); and (3) reflection and evaluation (component of reflection and evaluation). On the other words, in university legal clinics program, the students follow the legal clinical course by obtaining credit.

In practice, the students accompany their clients in real-time in which a time for them to attend lectures within the legal aid service that can enrich them through their fieldwork. The structure of field work is almost the same, which is parallel with the seminars, and also used in the externship program. The lecturers who are working as a supervisor at university legal clinics guide their students with a limited

number of cases as part of the important lessons for service to the community. The lecturers have a responsibility to supervise the student activities, whether they are working in litigation activities or other types of legal services. So, it is only done through the planning and balance of all components that make the goals of university legal clinics education will be achieved.

### 3 METHODOLOGY

This paper is based on the research which uses historical-normative method and bibliography approach. These methods and approaches are used to explain the model of university legal clinics in access to justice, especially its contribution to the fulfillment of women and children rights in Indonesia and Australia. Primary, secondary, and tertiary data sources are derived from the number of literatures that are closely related to the research objective. While the data collection techniques obtained from book review, documentation, and the other sources that relevant with the main topic of this research in line of the model of university legal clinics. Analysis of the data consists of the steps of compilation, classification, and analysis of the data which are done deductively and inductively until the formulation of conclusion.

### 4 RESULT AND DISCUSSION

#### 4.1 The Experiences of University Legal Clinics at UIN Bandung and Monash University

To illustrate the role of university legal aid clinic in the fulfillment of women and children rights, this article will briefly present the comparison of the experiences of university legal clinics education program at Faculty of Sharia and Law UIN Sunan Gunung Djati Bandung Indonesia and Faculty of Law Monash University Melbourne Australia. The main reason for choosing the two universities is based on the consideration that they have many similarities and differences in terms of curriculum, credit weight, learning and practice, development programs, and track record of cases that have been handled and involved by the paralegal students.

Referring to the background, Faculty of Sharia and Law UIN Sunan Gunung Djati Bandung Indonesia has a new program of university legal clinics program around 2012 as part of legal clinic learning at Department of Islamic Family Law (*Ahwal al-Syakhsiiyyah*) and Department of Legal Studies. In the end of August 2012, Prof. Oyo Sunaryo Mukhlis (Dean Faculty of Sharia and Law) had sets out a policy for improving the development of university legal clinics program. He took a populist policy that for civil and family law cases through litigation and non-litigation, the practice is conducted by Family Law Service and Consultation Bureau or BKLHK. These are formally integrated together within the learning practice of legal study program under Department of Islamic Family Law in three places, namely Faculty of Sharia and Law Office in Bandung, Religious Court Office in Sumedang and Religious Court Office in Subang West Java. While university legal clinics program for civil and criminal law cases through litigation and non-litigation are formally conducted by Institute for Legal Aid and Consultation or LBKH under Department of Legal Studies Faculty of Sharia and Law Office

in Bandung West Java Indonesia.

Those are seemingly much different with university legal clinics program at Faculty of Law Monash University of Melbourne Australia that has stood since 1960. Based on historical background, Monash University was founded in the Clayton area which has a distinctive nickname "Farm". The university has a component of practical legal education program in which its students practice the subject of legal clinics as an elective subject. Even from its inception until now, there are two places for students to gain experience in the field of legal proficiency such as follows: (1) Monash Oakleigh Legal Service (MOLS) located on the border road to Monash University in the Clayton area. To get to this place it takes about 3 minutes-walk through the back door of MOLS to Faculty of Law Monash University Building. MOLS has originally housed in an old house in the same location but about 11 years ago, the building was erected as an earlier site. While at MOLS, the students can gain practical experience in most of Victoria's legal areas; (2) Springvale Monash Legal Service (SMLS) located in the nearest suburb about 4 kilometers from the building of Faculty of Law Monash University. Uniquely, the term of "Springvale" is partly funded and managed by Faculty of Law Monash University and the other part are funded and managed by the Victoria Legal Aid Service (VLAS). SMLS offers a similar program with MOLS.

During the recent decades, Monash-Oakleigh Legal Service (MOLS) has developed from Monash Legal Service (MLS), which offered legal advice to Monash University students in a room at the Law School Building on the 1970. On 1979, the legal service began to involve the students enrolled in professional practice courses and to serve the community as well as students. The expanded operation took over the place of a former priest's house in Normandy located on the North side of the university.

At first, the existence of Clinical Legal Education Program (CLES) at Faculty of Law Monash University only provides the type of legal services to assist the clients within the scope of "workshop". It is not enough to improve the role of paralegal student to help the clients who came to CLES. Moreover, the Victorian State Government had advised them to propose a proposal. Several boarders at CLES arranged a comprehensive proposal and directly proposed it to the Victorian State Government. It be one way to support MOLS Clinical Law Education Program at Faculty of Law Monash University Melbourne Australia and is committed to support in terms of funding and finally the program began formally around the end of 1999. In the end of this year, MOLS Clinical Law Education Program at Faculty of Law Monash University Melbourne Australia confirmed its identity as Family Law Assistance Program (FLAP). FLAP is quickly turned out to be better known by the general public and continues to be flooded with visitors who need legal aid services.

In early phase of its foundation, FLAP priors to provide financial support from the Victorian State Government (VSG). The VSG will be granted FLAP Faculty of Law Monash University through the requirements that FLAP have to assist 150 clients per year. It aims to ensure for a planned and sustainable funding program. But it did not take long to meet the requirement in which FLAP Faculty of Law Monash

University Melbourne Australia has successfully fulfilled the requirement in just 1 month. Due to the number of clients and cases that must be handled during the 1st month, FLAP Faculty of Law Monash University makes a change policy i.e. one student must be able to accompany one client by making appointments and interviews, as well as a clearly convey information and agreement for the settlement of the case.

During its development, university legal clinic at FLAP Faculty of Law Monash University has begun and practiced in the area of Victoria Dandenong Family Court which is became one of the pilot projects. They open ministry on every working day at the Dandenong Family Court and Monday becomes the busiest day. Funding support provided by the Victorian State Government is allocated to employ an attorney and administrative officer and fees. Such a program can be simply referred to as self-help. Referring to FLAP Annual Report (2013), this program is seemed also more intended for people who have family law issues and do not have the funds to conduct legal remedies in court. Until now, the pilot project is very well known as the Family Court Support Program.

Finally, after a long period of time, precisely during the last 10 years, the community proved to give a positive assessment of this program. However, it would help them in getting access to access to justice through FLAP Faculty of Law Monash University Melbourne Australia for legal consultation, legal aid, legal, services, and legal assistance.

#### **4.2 The Comparison of University Legal Clinics between UIN Bandung Indonesia and Monash University Melbourne Australia**

Referring to the results of research analysis on the development model of university legal clinics, we can say that the existence of university legal clinics is very important to be implemented at higher education institution, especially at faculty of law. Shortly, we may learn from several experiences at Faculty of Sharia and Law UIN Sunan Gunung Jati Bandung West Java Indonesia and FLAP Faculty of Law Monash University Melbourne Australia which are illustrated in the table 1.

**TABLE 1**  
**THE COMPARISON OF UNIVERSITY LEGAL CLINICS BETWEEN UIN BANDUNG**  
**INDONESIA AND MONASH UNIVERSITY MELBOURNE AUSTRALIA**

No	Comparative Aspect	UIN Sunan Gunung Djati Bandung Indonesia	Monash University Melbourne Australia	Result and Performance
1	Curriculum	Legal clinics	Legal clinics	The students must have knowledge in the field of family law services
2	Credit	Professional Practice 4 Points	Professional Practice 12 Points	The students must have a professional skill to solve family law cases through practical learning process
3	Subject and Competency Standard	Legal clinics is an elective subject, both theory and practice	Legal clinics is required subject (pilot project program), both theory and practice	The students must have a professional skill to solve family law cases through practical learning process at university legal clinics
4	Scope of the cases	Islamic family law through non litigation	Family law and certain specific cases through litigation and non-litigation	The students must have a professional skill to solve family law cases through litigation and non-litigation approach
5	Funding	It is never supported fund by University or Faculty	It is funded by University, Faculty, and Federal Government	There is the different result in solving the specific cases because it is in need of much cost
6	Facility	It is rent a small room from public house through self-help funding	It is available by University and Faculty	BKLNK UIN SGD Bandung has not optimal yet in helping the clients. FLAP Monash University can optimally help the clients in legal consultancy or legal service which is related to fastness, effectiveness, and maximum service

No	Comparative Aspect	UIN Sunan Gunung Djati Bandung Indonesia	Monash University Melbourne Australia	Result and Performance
7	Information System	Manual	Based on data base online system that connected to the court institution	University Legal Clinics Faculty of Law UIN Bandung has not optimal yet in helping the clients. University Legal Clinics Faculty of Law Monash University can optimally help the clients in legal consultancy or legal service which is related to fastness, effectiveness, and maximum service
8	Participants	7-10 paralegal students per year	10-25 paralegal students per year	There are the differences of paralegal student to intake the university legal clinics program because of their interest and motivation
9	Cases and Clients	Paralegal students handled up 2000 cases and clients per year	Paralegal students handled up 2000 cases and clients per year	There are various cases handled by paralegal students which are related to the scope of various cases and challenges
10	Competency Standard	There is no clearly academic objective to prepare alumni to work as legal aid practitioners	There is clearly academic objective to prepare alumni to work as legal aid practitioners	Alumni Faculty of Law UIN Bandung is very small worked at Legal Aid Institution. In contrast, Alumni Monash University Melbourne Australia is too many worked at Legal Aid Institution.

Based on the above comparison, it can be seen that the development of university legal clinics at Faculty of Sharia and Law UIN Sunan Gunung Djati Bandung West Java Indonesia and FLAP Faculty of Law Monash University Melbourne Australia tend to apply fully voluntary principles, where their work is more focused on the less fortunate. The existence of the voluntary students in both institutions is much better than the legal clinics in general because they are seemly both encourage the ethical and moral orientations to involve the students in the field of law enforcement practice.

In addition, any reduction in the quality of consultation services and legal assistance to university legal clinics at Faculty of Sharia and Law UIN Sunan Gunung Djati Bandung West Java Indonesia with FLAP Faculty of Law Monash University of Melbourne Australia recognized has a dynamic experienced.

However, this is understandable because the rise and fall of the level of control over the case penalty does have limitations on both those institutions. On the one hand, the model of university legal clinics at BKLHK Faculty of Sharia and Law UIN Sunan Gunung Djati Bandung Indonesia is only handle non-litigation cases in the several of family law fields. On the other hand, university legal clinics at FLAP Faculty of Law Monash University Melbourne Australia is handled all various cases – they are not only family law, but also criminal and contract law, etc. – both litigation and non-litigation.

Based on the result of the empirical research, the annual report shows that the paralegal students who are apprenticed in university legal clinics at Faculty of Sharia and Law UIN Sunan Gunung Djati Bandung Indonesia have been able to assist and accompany the settlement of the family law cases in Sumedang Religious Court as many as 2493 cases on 2013 and 2171 cases on 2014. Many of them are assisted through non-litigation and some others are through litigation efforts.

In contrast, it is absolutely different with the performance of paralegal students at FLAP Faculty of Law Monash University Melbourne Australia who have very well understanding in doing help to the clients. They have provided legal assistance to the community supervised by Victoria Legal Aid Service (VLAS). Based on the FLAP Annual Report, during the period 2012-2013 they assisted almost 2109 clients and received various cases through legal aid, legal consultation, and legal assistance services. There is noted almost 1418 cases being handled through legal aid and legal, 1287 cases were being handled, and almost 626 cases have been resolved, including 7 non-cases of legal aid activities.

Then entering of the period 2013-2014, the Annual Report FLAP Faculty of Law Monash University Melbourne Australia has also recorded 1323 cases and 962 other cases that have been received through consultation and legal assistance handled by the students who apprenticed at FLAP. The increase of the FLAP track record is influenced by the understanding of the clients who believe to the approaches of paralegal students in helping and solving their own cases. It also serves as a proof and an evident that the paralegal student existence is very important and giving any contribution to provide legal consultation, legal aid, and legal service to the society or the clients.

The distinctive of these performances are reasonable because the constitutional legal system in Indonesia and Australia is very different. In Indonesia, legislation provides that lecturers and students are not required to assist the clients in litigation procedure formally the courtroom area. While in the federal legal system in Australia, the lecturers and students are given a freedom to assist the clients until into the courtroom area through litigation procedure as well as non-litigation.

At the recent decades, the advantages and the weaknesses of university legal clinics education program at university legal clinics Faculty of Sharia and Law UIN Sunan Gunung Djati Bandung Indonesia and FLAP Faculty of Law Monash University Melbourne Australia have been received any appreciation from social and legal institutions, especially by the clients who had been helped and assisted by them. However, the track record of handling any cases done by both need to be appreciated by the various clients and must be simultaneously in the role of expanding access to justice.

Through the explanation above, we can say that this potential flow is very important to be increased in the future in accordance

with the effectiveness and implementation of the theory and practice of university legal clinics model at faculty of law. But university legal clinics should also be noted that both BKLHK UIN Sunan Gunung Djati Bandung and FLAP Faculty of Law Monash University Melbourne Australia are always strongly committed to assisting the public in the field of legal services. In other words, this voluntary work of the university legal clinics under the faculty of law has great benefits not only for the lecturers and law students, but also has provided as the vast space for the underprivileged and everyone to gain access to justice.

## 5 CONCLUSIONS

The development of the university legal clinics does not only have an educational function, where the students will be better trained and skilled in dealing with legal matters, but the main goal of university legal clinics is to see the purpose of their pursuit will be very noble to serve the community or the clients in the field of legal consultation and legal assistance. In addition, the students will also exceed the high level of legal education more than the minimum standard. If they were just a lot of theoretical and tutorial lessons in the classroom, through university legal clinics they could apply all theories by practicing it directly in the field of legal services.

Through the apprenticeship practice at the university legal clinics, the students will be increasingly trained to continue and learn about how to investigate and handle legal facts, and ensure legal procedures dealing with good legal issues not taught in law schools, or cross the traditional boundary subjects, requests, and ways of negotiating, and everything that happens in the court system, including the ethical issues in the field of law enforcement process. It will make them as the distinguished person as well as the choice and differentiate person at the same time than the other college law graduates.

In this context, university legal clinics like BKLHK and FLAP is the two models of clinical legal education programs that must be developed by faculty of law in the line of community service. It also wants to be affirmed in this concluding section that university legal clinic is a truly distinction and an excellence for all law students that must be protected, nurtured, and developed in future. Referring to the short-term in the politics of law, there is stated that breaking the long history that has been made means ringing the death knell of idealism and innovation the law and justice enforcers.

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