



The Clinics for Law and Social Change – 2023-2024 Annual Report

Our clinics aim to address some of Israel's most pressing social challenges. Through the work of the Legal Clinics, law students, guided by a team of expert lawyers, serve as advocates, promoting human rights and democratic values on behalf of disadvantaged communities and individuals, especially in northern Israel. In addition to engaging in actual legal cases, and projects for policy change, our mission involves educating Israel's future lawyers, deepening their social sensitivity and commitment to justice as a part of their professional identities. Additionally, we aim to translate the unique knowledge created in the Clinics into cutting edge applied legal research that will further contribute to making Israeli law more accessible and just.

This has been an unprecedented year, in which Israel experienced its worst terror attack and bitter war. Thousands of people have been affected, killed and injured, displaced from their homes, called for reserve duty, and lost their livelihoods. Others have suffered unjust discrimination and silencing. The clinics, the students and staff, were legal "first responders", organizing to provide legal aid to people affected, even before the academic year began. We provided legal aid in hotels in Haifa to which residents of the northern border were evacuated and addressed broader policy issues that affect hundreds of people. We filed two important petitions with the HCJ and initiated a legislative bill which was later adopted by the government, among others. The activities related to the war will be detailed below.

Looking to the future, we have a few announcements: we are excited to announce the establishment of two new clinics: *The Clinic for Human Rights in Times of War* that will continue the efforts to provide legal aid and representation in issues related to the war. The clinic will be run by adv. Vardit Avidan. Vardit was formerly the head of the legal feminism clinic, which will be directed beginning next year, by adv. Efrat Lopo-Moskovitz. The second newly established clinic is the Environmental Justice Clinic, that will focus, among other things, on environmental challenges in Haifa and the region, including the marine environment. The clinic will be directed by adv. Inbar Druyan, and we welcome her to our wonderful team.

Last but not least, we bid farewell and good luck to our longtime professional director, adv. Haran Riechman, who is leaving us. Haran has been in the clinics for 14 years, as the director of the Law and Education Policy Clinic and the professional director of the clinical center. In his years in the clinics, Haran has been a fierce protector of the weak and the marginalized; he represented thousands of children and families and fought for their educational rights. His work in promoting equality in the education system has had a deep and long-lasting effect on education in Israel, through the numerous successes, but also through raising awareness and providing the system with

an unwavering moral compass. Among his most significant and memorable achievements are the discontinuation of academic sorting in public schools, inclusion of asylum seeker children in schools and kindergartens, realizing the educational rights of sick children, and many many more. No less importantly, Haran has taught and mentored hundreds of students who have looked up to him as a role model and leader. Their unforgettable clinical experience has made them better lawyers, but also better people. We wish Haran the best of luck and look forward to hearing about his future endeavors.

Adv. Reut Cohen will take his place as the professional director of the clinical center. Reut is a leading and esteemed human rights lawyer. She has been the clinical director of our Civil Litigation Clinic for the past seven years, and before that worked at the Bar Ilan University clinics and at ACRI (Association for Civil Rights Israel). We wish her the best of luck!

Table of Contents

Executive Summary	3
Legal action related to the war	6
The Civil Litigation Clinic	9
The Legal Feminism Clinic	15
The Human Rights Clinic	18
The Law, Technology and Cyber Clinic	21
The Law and Education Policy Clinic	26
The Dispute Resolution Clinic	30
The Public Defender and Criminal Justice Clinic	33

Executive Summary

Activity concerning the Iron Swords war

Since the beginning of the war, the clinics have mobilized to address the significant legal challenges created by the conflict. From the first weeks of the war and throughout the year, the clinics provided legal assistance and representation on various issues related to the war. Among other activities, they assisted dozens of people with matters concerning compensation, employment, housing, and more. The Technology and Cyber Law Clinic joined the "Internet Law in War" project, which offered initial legal support to various initiatives documenting wartime events and advocacy projects that emerged as a result of the war.

The Human Rights Clinic provided representation and assistance to Arab citizens who faced discrimination due to their affiliation during the war.

The Conflict Resolution Clinic led a process to build agreements within the faculty in preparation for the start of the academic year. Jewish and Arab students and faculty participated in the process which resulted in the introduction of an agreed "charter" for protected dialogue on campus. A internal conflict resolution mechanism was established to prevent deterioration of conflicts, and this was used successfully several times throughout the year. And it was decided to propose an additional course in the faculty to deepen intercultural understanding among our students.

The clinics filed two petitions to the Supreme Court regarding the war. The first petition concerned the rights of residents in northern communities that were not evacuated but were under constant fire. Throughout the year, several hearings were held on the petition, and under pressure from the court, the state improved its response to the needs of these communities. The petition remains pending. The second petition concerned students from Tel Hai and Sapir colleges who, prior to the

war, lived in dormitories in Kiryat Shmona and Sderot (respectively) and were evacuated from their homes. Unlike students who rented apartments in the coastal market (and unlike all other evacuated residents), these students were found ineligible for compensation. After several hearings, the state announced that new regulations would address exceptional cases such as the students' case, and they would be eligible for compensation.

Other projects and cases, by clinic:

The Human Rights Clinic deals with various issues related to promoting the human rights of the most vulnerable populations in Israel. This year, the clinic represented more than 15 cases of stateless individuals in Israel, including asylum seekers, Palestinians threatened in Judea and Samaria due to their sexual orientation, migrant workers, and more. These are complicated and lengthy cases. Additionally, the clinic provided legal assistance to victims of crime, including those whose sexual content was distributed without consent online, or who are threatened with such distribution.

The Legal Feminism Clinic offers legal assistance and representation to victims of sexual offenses across a wide range of legal actions. The clinic represented seven victims of sexual assault in appeals against decisions to close cases, assisted three victims in filing disability claims with the National Insurance Institute, and conducted nine preparations for filing police complaints. Additionally, the clinic represented two women in two defamation lawsuits filed against them due to a post they wrote about a sexual therapist whom they alleged acted improperly. The clinic also assisted women whose sexual content was distributed online without their consent. Further, the clinic represented a medical intern (a military doctor) in a lawsuit after her sexual harassment complaint was not addressed, leading to the termination of her internship. In its rulings, the tribunal made a precedent-setting decision that military doctors will be considered employees under the Sexual Harassment Prevention Law.

The Civil Litigation Clinic focuses on realizing human rights through civil law tools. This year, the clinic represented two tort claims for unlawful violations of human rights during arrest and investigation processes. The clinic also provided legal assistance to the elderly on consumer issues, including cases of fraud, and advocated for appropriate regulations to prevent similar incidents. The clinic also provided legal assistance to people in debt, people with disabilities, and bank customers. In collaboration with transgender community organizations, the clinic represented cases concerning the right to health for transgender individuals and represented transgender people in cases related to health services.

The Technology and Cyber Law Clinic is involved in protecting human rights in an era of rapid technological innovations, primarily by writing policy papers, engaging in legislative processes, and building coalitions. This year, the clinic focused on promoting accessibility for the elderly to digital services, safeguarding student privacy in the context of artificial intelligence use in the education system, and ensuring transparency and accountability of government authorities using algorithms for decision-making. Additionally, in collaboration with the Human Rights Clinic and the Legal Feminism Clinic, it worked to protect against the use of sexual content without consent and against sexual harassment in the form of deepfake technology.

The Education Law and Policy Clinic represents parents and students whose rights in the education system have been violated and promotes equality in education. This year, the clinic

approached the Ministry of Education regarding budget inequality, particularly concerning the budgetary preference for the state-religious education system. The clinic represented asylum seekers in several matters related to their right to equal education, including an ongoing petition against segregation in education in Tel Aviv-Jaffa. The clinic dealt with four cases of prohibited sorting in state schools and represented three groups of ultra-Orthodox parents from Haifa, Beit Shemesh, and Ashkelon to help them establish ultra-Orthodox state schools, and dozens of cases regarding special education. Additionally, the clinic was involved in the Knesset Education Committee's process of regulating the regulations for implementing the law for free education for sick children, and submitted an opinion opposing the Cameras in Daycare Centers Law.

The Conflict Resolution Clinic works to instill and spread the mediation philosophy among both the clinic's students and the general population. The clinic provides pro bono mediation services for cases referred from small claims courts and community referrals. This year, the clinic mediated a dispute between NGOs in the third sector, in cases of defamation and sexual violence, one divorce mediation, and six small claims cases. The clinic also conducted four workshops to equip participants with mediation tools (each consisting of three sessions) for participants in the community court project in Haifa and for the team of Beit Ariela, an organization assisting women addicted to drugs and prostitution. Clinic students observed over 30 hearings in the labor court and wrote summary reports submitted to the president of the court.

In **the Public Defender and Criminal Justice System Clinic**, students assist public defenders in representing suspects and defendants at all stages of the criminal process. Among the notable populations represented by the public defender are those with low income, minors, and people with disabilities. In the clinic, students learn skills essential for defense attorneys, including filing defenses, interim applications, building defenses, reviewing investigation materials, and legal research. Additionally, students confront ethical dilemmas faced by defenders and issues concerning the rights of defendants and suspects.

Legal action related to the war

On October 7, 2023, just before the academic year began, the Iron Swords War broke out following a brutal terrorist attack on the communities surrounding Gaza. Immediately after the events of October 7, the clinics mobilized to provide assistance and address the challenges that arose. Because the start of the semester was delayed, the clinical staff reached out to all the students who completed the clinics last year, as well as those who were scheduled to begin the clinics in the 2023-2024 academic year, and those who were available and interested volunteered for the activities. Often, the activities were outside the direct expertise of the clinics, and the work was shaped according to the needs that emerged from the field.

- **Petition to the HCJ on behalf of communities from the North, who live between 3.5-7 kms from the border.** These settlements were not evicted but they are under constant attack, making life there impossible, therefore many residents evacuated themselves, however do not receive any compensation from the state. Following the petition the court placed pressure on the government to provide solutions to these communities. The case is pending as long as negotiations are under way.
- **Petition to the HCJ on behalf of students who were evacuated but found ineligible for housing grants.** The Civil Litigation Clinic is currently representing five students – two from the city of Sderot and three from the city of Kiryat Shmona. Residents of these cities received housing grants from the start of the war and onward, including students who rented flats, however these students were denied the grants because reside in the student dormitories or buildings designated for student housing. This petition, if accepted, will affect hundreds of students in the same situation. The case is pending.
- **Restricting legal fees for representing victims of terror acts.** The Civil Litigation Clinic initiated and drafted a letter on behalf of dozens of NGO's legal clinics to relevant government officials demanding that a cap should be imposed on legal fees that lawyers are allowed to charge when representing terror victims in the National Insurance Institute (NII) committees. By applying the restriction, terror victims will be provided the protections already available to veterans injured in the military. The initiative was endorsed by MKs and ultimately the government and the bill is in the process of legislation.
- The Civil Litigation Clinic wrote a letter to the Insolvency Commissioner and the Bank of Israel requesting the removal of restrictions on issuing checks for evacuated residents who have limitations, due to the need to allow them to independently rent alternative housing, and more.
- **Agreement building in the faculty:** following the events of October 7th, the diverse community of Jews and Arabs was challenged – there was much mutual suspicion and fear from coming back to campus, as well as specific events of conflict surrounding expressions

on social media. The Conflict Resolution Clinic, together with another mediator who is an expert on agreement building initiated an agreement building process that involved all students and staff who were interested in participating. The process resulted in a “treaty” that ensured open and safe deliberation in the faculty and created a mechanism for dispute resolution for cases in which members of our community felt that people crossed the line of acceptable speech. The mechanism has been used several times throughout the year and has helped solve all conflicts related to the war and political and national divide in a constructive manner, without recourse to disciplinary procedures, and while maintaining trust and in a way that maintains relationships of trust and cooperation among members of the community. The process is singular in Israeli academy, and has aroused much interest, including in professional conferences and literature.

- **Restrictions on Freedom of Expression and Discrimination of non-Jewish citizens** Since the events of October 7 and the outbreak of the war in Gaza, there have been many cases of restrictions on freedom of expression by both the state and various institutions, including Academia, the Bar Association, hospitals and other private employers. The Human Rights Clinic has provided legal advice on issues related to restrictions on freedom of expression to organizations and individuals. For example, the clinic represented the singer Dalal Abu Amna, who was continuously threatened and harassed after being falsely accused of supporting the terrorist attack on Israel. The clinic provided legal consultations concerning the threats and constant demonstrations near her house, filed a Freedom of Information request to learn if the gatherings under the singer’s house were coordinated with the police and subject to permits and conditions set by the police, held meetings with senior officers of the Northern District Police, and filed individual complaint on her behalf. The clinic also represented a Nazareth City Council member and former mayoral candidate after a policeman who seized and tore a Palestinian flag during a protest against the war in Gaza, in filing a complaint with the Police Investigations Division (MAHASH). Finally the clinic is representing an Arab political activist who was arrested and held in illegal and degrading conditions after participating in a protest for the release of a deceased prisoners’ body.
- **Internet Law in War** The law technology and Cyber Clinic was involved in the "Internet Law in War" project, which provided initial legal assistance to various initiatives for documenting war events and advocacy projects that emerged following the conflict. Among other things, the clinic's director assisted with two projects – one documentary and the other advocacy – in the areas of intellectual property, privacy, and more. The clinic led the creation of two documents as part of the project – one on copyright issues in initiatives for documentation or advocacy during war, and the other serves as a basis for creating connections between various initiatives for archiving and documenting content. Furthermore, the clinic's director commented on three additional documents published by the joint forum. All materials and position papers can be found on the dedicated website that was established. <https://www.er-cyber-law.org.il/>.

The Civil Litigation Clinic
Clinical Director: Adv. Reut Cohen
Academic Director: Dr. Lihi Yona

The Clinic develops creative and innovative tools of civil law and civil litigation for promoting and protecting human rights. Traditionally, promoting human rights was performed primarily through Public Law tools—including petitions to the High Court of Justice (Bagatz) or the Administrative Court, Criminal Law in the context of suspects' and defendants' rights, and promoting legislation and policy. While the remedies provided by Public Law are essential for human rights protection, they are inherently limited. In contrast, civil law offers a broad range of remedies and tools that can be utilized by the cause lawyer.

Moreover, it is becoming increasingly clear that many human rights, especially those of marginalized populations, are often violated in their interactions with private entities such as banks, business companies, and even individuals. Therefore, expertise in private and civil law is crucial for the realization of human rights.

The clinic aims to promote human rights, particularly of marginalized populations, through the civil process. It also aims to provide students with skills in civil law and civil litigation. The Clinic's activities with relation to private entities such as banks, insurance companies, healthcare providers, among others also generate novel knowledge that is often overlooked by regulators and legal scholars in these fields, as they seldom focus on the experiences of marginalized communities, on regulatory failures, which the Clinic works to correct through government bodies, and occasionally through petitions to the High Court of Justice. The Clinic aims to put this expertise to use and improve the services that these entities provide to the public at large and especially to members of disempowered groups.

Referrals to the Clinic come through the Clinic's hotline, social workers in various welfare offices across the country, and organizations with which the Clinic collaborates, such as the Public Defender's Office and LGBTQ+ organizations.

In the 2023-2024 academic year, 12 students participated in the Civil Litigation Clinic. This year the Clinic has provided legal services to approximately 55 clients, and represented in five court cases, and three committees (a healthcare provider appeal committee, a private health care insurer appeal committee, and the Enforcement Authority). Additionally, the Clinic engaged in promoting broad policy change. Here are some examples of our work:

I. Civil lawsuits for compensation for violation of human rights in criminal proceedings

The clinic represents clients in civil lawsuits seeking compensation for violation of their rights in criminal proceedings. In addition to obtaining compensation for clients, successful tort

claims can deter law enforcement agencies, thereby improving compliance with the law and protecting the rights of detainees and prisoners.

- The clinic filed two tort claims against the police and the Israel Prison Service (IPS) in December 2022 and July 2023 on behalf of clients who were detained in cells not designated for detainees and were subjected to harsh and degrading conditions. In one case, a defense statement has been filed, and a preliminary hearing was held in June 2024 in which the court proposed to rule by way of arbitration based on the material filed. A month later the state notified the court that they refuse to authorize the court to rule based on the material, and as a result the case will be proceed. We are waiting for a hearing to be scheduled.

In the second case, the state filed a defense statement after several extension. The sides are now required to go to preliminary meetings with a mediator after which the sides will decide whether they would like to participate in a mediation process or continue to hear the case. A hearing is scheduled for December 2024.

- The clinic is representing a client who was fully acquitted of the charge for which he was arrested, with the judge concluding, among other things, that he was detained by the police on suspicion of a drug offense solely based on his appearance. The arrest and indictment caused significant harm to the client. In December 2023, the clinic filed a tort claim against the police after a pre-litigation warning letter sent to the prosecution received no response. In early April, after requesting an extension, the prosecution filed a defense statement rejecting the clinic's claims. Additionally, the state filed a motion to add two new defendants to the lawsuit, arguing that if the court finds the state responsible, it is they who should compensate the plaintiff. The clinic filed its response and the compulsory meeting with a mediator is scheduled for August 2024.

II. Legal aid for the elderly and people with disabilities

The clinic provided legal aid and representation to several elderly individuals in issues related to consumer law.

- For example, the clinic sent a pre-litigation warning letter to a credit card company demanding that it return funds stolen from an 80-year-old client as part of a scam known as "The Russian Scam." In this scam, fraudsters call elderly people, usually Russian speakers, impersonate police officers, and urge the elderly person to hand over their credit cards, claiming that someone is trying to hack into their account, and they need the cards to secure it. When the elderly person asks questions, the fraudsters threaten that if they do not hand over the cards, they will be committing a crime of disobeying a police order. In the case of our client, a few minutes after his credit cards were taken, his daughter called the credit card companies to cancel the cards but encountered difficulties with a specific company. In the warning letter, we argued that the credit card company should return the stolen funds due to the client's attempt to cancel the card and the difficulty in reaching the correct department within the

company. We also claimed that the legal provisions include an insurance rationale and that the company's security mechanisms, which have the capability to prevent the damage, were negligent in this case. In June, the credit company notified our client that they decided to return half of the funds without admitting their negligence.

- In another case the clinic provided legal aid to a 77 year old woman who, as a result of a scam, transferred 80,000 NIS (about \$20,000) from her bank account. The clinic approached the bank arguing that the bank was able to recognize the scam and prevent it, and therefore should compensate the client.
- The clinic is also assisting several clients who were overcharged by a company providing emergency buttons and medical emergency services. In one of these cases, the clinic's assistance led to a settlement in which the company refunded the client. In another case, the clinic drafted and filed a small claims lawsuit for a client. The proceeding is ongoing.
- An additional case involved a service that several companies offer that involves locating "lost funds" such as savings accounts or insurance policies for people nearing retirement. These companies, however, offer a service that is accessible to everyone online, and then convince their clients to withdraw their pensions before retirement, thus incurring a "penalty" in the form of heavy taxation, as well as paying a large commission to the company. The clinic is representing a client who was sued by the company because she refused to withdraw the funds. Following the representation, the company withdrew their lawsuit. The clinic is examining broader aspects of the phenomenon to promote policies that prevent similar cases.
- In addition to legal aid for the elderly, the clinic also provides legal aid to people with disabilities. For example, the clinic assisted a woman whose claim for disability pension was denied. The woman was unable to work due to the onset of PTSD, but her disability claim was denied after the insurance company determined that it was a pre-existing condition. The clinic argued that the insurance company's interpretation of "pre-existing condition" was incorrect, and therefore, the clinic filed an appeal against the company's decision and represented the client in a medical appeals committee in August 2023. The appeals committee accepted the appeal, overturned the pension fund's decision, and determined that the client is entitled to a monthly pension retroactively and from now on.
- Another case involved rent assistance for people with disabilities. About six months ago, following a petition to the High Court of Justice, the Ministry of Health announced that it would complete an additional NIS 230 per month in rent assistance for people receiving rehabilitation pension and living independently in the community, and NIS 100 per month for those living in hostels. Our client receives services from the hostel

but lives independently in the community. The Ministry of Health decided to provide him with an additional NIS 100 like those living in hostels, while the clinic argues that he should receive the increased amount of NIS 230. The clinic sent a letter to the Ministry of Health arguing that the clinics' interpretation is preferable to incentivize people with disabilities to live independently in the community. The clinic is awaiting the Ministry of Health's response.

- The clinic is representing a person with disability who is facing legal charges. His name was published in an article related to the indictment, even though the court issued a ban on making the case public. After a warning letter, the newspaper removed his name from the article on its website. The clinic also drafted a request to Google to remove the name from search results, and Google complied.

III. Assisting bank clients

Acknowledging the uneven power relations between banks and their clients, especially poor clients and those who belong to marginalized groups, the clinic represents clients whose rights are violated by banks and takes action to improve regulation over banks. Some examples include:

- **Regulation of ATMs:** In recent years, many banks have closed branches to cut costs. This has led to the closure of ATMs attached to branches whose fees are regulated, thus harming clients, and especially vulnerable individuals including the elderly, recipients of social security pensions, people with disabilities, and such. Private ATM companies whose fees are unregulated have recognized this trend as an opportunity for making profit, and the number of private ATMs has grown and far exceeds that of regulated ones. Seeing that cash withdrawal is an essential service, and the high fees charged by private ATM companies, the clinic, together with the Association for Civil Rights Israel (ACRI) are working on a petition to require banks to provide adequate access to ATMs.
- **Lack of branches:** A resident of a recognized Bedouin settlement in the south of the country, home to about twenty thousand people, approached the clinic and ACRI with the issue that there is no bank branch in their settlement. We are working on a legal brief regarding whether it is possible to require the Bank of Israel to order or facilitate the opening of a bank branch in the settlement.
- **Checks for insolvent individuals:** The law imposes restrictions on insolvent individuals, including restrictions on using checks. The rental house market and childcare market typically require checks, creating a challenge for insolvent individuals. Although courts have discretion in imposing restrictions, in practice they routinely restrict check use. Following legal research, the clinic together with ACRI sent a letter to the bank regulator agency and to the agency in charge of insolvency

explaining the challenge and the infringement on human rights. We suggested amending the regulations and allowing debtors to use checks.

IV. Transgender Rights in Healthcare

For several years the clinic has been providing assistance and representation to the LGBTQ+ community in Israel on various matters. In the academic year of 2022-2023, transgender organizations, along with the Association for Civil Rights and the clinic, won a 30-month EU grant (that ended this year). Within this project, the clinic was responsible for the legal aspect of the right to health and represented various clients concerning this issue. Here are some examples:

- **Gender reassignment procedures for Trans men.** There are currently no surgeons in Israel who perform gender reassignment procedures for trans men, so the Ministry of Health ordered health funds to finance these procedures abroad. However, there are no detailed guidelines on the extent of coverage so each fund operates differently. The clinic submitted Freedom of Information requests to each provider to make this information accessible to the public and after receiving the information, the clinic, along with various organizations, created a table comparing the differences to enable the transgender community to make informed and conscious decisions. The table is available online.
- **Trans rights in prison.** The clinic, together with the ACRI represented a transgender inmate whom the Israel Prison Service (IPS) prevented from undergoing gender reassignment surgeries while in prison for paternalistic reasons, claiming that the inmate did not genuinely want the treatments and was not accustomed to being a woman outside prison. The petition argued that once the inmate passed the Gender Reassignment Committee, which is authorized to approve surgeries, the IPS was not authorized to determine whether an inmate is fit for gender reassignment surgery. We also argued that this is a vital medical procedure and that the IPS should fund it, as failure to do so would create irrelevant discrimination between transgender inmates and "civilian" transgender individuals. The Administrative Court in Lod accepted the petition and ordered the IPS to facilitate the surgeries and fund them.
- In another case, the clinic assisted a non-binary client facing long wait times for mental health treatment. After a warning letter to the healthcare provider, a timely appointment was found.
- The clinic assisted a client who recently gave birth to his first daughter in registering her in the population registry after an official refused to register him as the father, claiming he had to change his gender back to female. Following the clinic's intervention, the client successfully registered as the father.

V. Civil Procedure in Small Claims Court

The Clinics provided written comments on the new regulations for civil procedure that address small claims court. According to the proposed regulation, judges will be authorized to decide based on written material without an oral hearing, to severely limit the number of pages, and to hold hearings online. The clinic claimed that the amendment has the potential to restrict access to justice, and especially disadvantage unrepresented litigants, and especially poor, uneducated and marginalized litigants.

VI. Debt

The clinic provides legal aid to clients in issues related to debt they may owe to private entities such as banks, cell companies, and more, as well as debt that is managed in the Fines collection center, the executors' office and more.

In addition to providing legal aid to individuals, the clinic also engages in broader issues to promote debtors' rights.

- For example, the clinic represented a resident of public housing with a disability benefit, with a debt imposed on him by the Ministry of Health for his late mother's nursing care. The Ministry of Health referred us to apply to the committee for debt clearance at the Enforcement Authority. However, when preparing the application, we discovered that there was no information about the committee on the Enforcement Authority's website or anywhere else publicly available. Nevertheless, we drafted an application for the client and submitted it to the Enforcement Authority, and in November 2023 we were informed that the request was granted, and the debt was completely erased.

At the same time, we filed a request under the Freedom of Information Act to inquire about the committee for debt clearance, its powers, regulations, and the number of referrals it receives. We learned that there is indeed a committee for debt clearance that is not publicized or accessible to the public, and as a result, the committee deals with very few requests a year, usually initiated by the authority itself. Following our disclosure, an article was published in YNET that led the Enforcement and Collection Authority to decide to publish and make all debt clearance committees accessible to the public.

The Legal Feminism Clinic
Clinical Director: Adv. Vardit Avidan
Academic Director: Dr. Arianne Renan Barzilay

The Legal Feminism Clinic examines how Israeli society treats women in various areas of life. The students in the clinic are exposed to the social, institutional, and legal mechanisms that shape gender relations in Israel, and the factors that affect women's rights. The clinic aims to provide sociolegal services in areas and issues in which other organizations fail to provide aid.

This year, 13 students- 12 women and one man participated in the clinic. The clinic receives an average of 4-5 new cases each week, and about 200 annually. The clinic provides preliminary advice to all of these cases, and provides full representation in cases that are relevant to the different projects.

I. Challenging DA decisions to close cases of sex crimes

The clinic submits appeals on behalf of female victims of sexual offenses regarding decisions to close cases. This year the clinic handled seven new appeals (in addition to continuing treatment of three appeals from the previous year). Here are some of their stories:

- In one case the clinic is representing a woman with cognitive and physical disabilities from Um Al-Fahm, who complained that she was raped by the driver who takes her to her day care center. Despite evidence supporting her claim, the case was closed. In May 2022 we filed an appeal that was rejected. Recently, we learnt that DNA tests were not consistent with our client's claim, and we helped her understand the evidence so she could make an informed decision concerning her complaint. Following the consultation, she decided not to file a new complaint.
- In another case the clinic filed an appeal on behalf of a young woman who was raped by a close friend. Although the appeal was filed in December 2022, we have yet to receive a response, therefore we filed a complaint with the Comptroller for prosecution, and received a response according to which we should have a decision within three months.
- The clinic represented another case in which a woman filed a complaint against her ex-partner who attacked her. The prosecution did not inform the woman that they decided to indict the perpetrator, and that later the case had been closed. We assisted the women who filed a lawsuit in small claims court and the case is pending.
- In March 2024, the clinic filed an appeal on behalf of a woman who had been assaulted while under the influence of a date rape drug given to her by her partner. To overcome the difficulties of proof in such cases, the woman confronted her attacker and recorded him apologizing for harming her. Despite the recording, the complaint filed with the police regarding the rape was closed. We are awaiting a response.
- In April 2024 we provided consultation to a woman who was sexually assaulted under the influence of a date rape drug at a student party in Eilat. Her complaint was closed due to lack of evidence. We are waiting for the woman's decision.

II. Defense against SLAP lawsuits concerning sexual harassment

The clinic represented two activists in two SLAP lawsuits filed by a self-proclaimed "alternative sexual therapist" following news reports criticizing his treatment method, which includes physical contact. In both cases, mediation proceedings were held, and in August 2023 and December 2024, agreements were reached. As part of these agreements, the lawsuits were dropped, and mutual apologies were issued.

III. Services for victims of sex crimes

Over the years the clinic has acted to improve services for victims of sex crimes along various interfaces with government authorities.

- Disability benefits. The clinic assists women suffering from PTSD following their assault to file disability claims with the National Insurance Institute. This year, we assisted three women in filing disability claims for sexual assault. In all cases the women received full and consistent disability benefits as well as rehabilitation services.
- Preparing for filing police complaints. The clinic provides preparation services for victims of sexual assault before filing a complaint with the police. There is urgent need for reform regarding the treatment of sexual assault victims by the police. However, until this happens, the clinic helps mediate the process for victims and guides them through the investigation process. This year we conducted nine preparations for criminal proceedings: we assisted seven women who were assaulted and photographed against their will by the same man in the context of sex party line events. In addition, we assisted a woman who was sexually assaulted during a first date, and a woman who was assaulted by her (ex)partner. After preparing her for a confrontation in the police, an indictment is expected.

IV. Online sexual harassment: distributing sexual photos and videos online

The clinic (together with the Clinic for Human Rights and the Law, Technology and Cyber Clinic) initiated a project aimed at protecting people against the unauthorized use of intimate content online. As part of the project, the clinic represents women whose content has been circulated online without their consent, or where someone has threatened to use such content.

Additionally, the project seeks to promote policies that ensure better protection against such sexual harm.

This year, the clinic represented a woman whose former partner threatened to distribute nude photos and videos of her if she didn't resume their relationship. The clinic sent him a warning letter and threatened to file a restraining order for harassment if he continued to threaten her. He removed and deleted the videos.

The clinic also sent three warning letters on behalf of women who were filmed during a sexual act without their knowledge by a man with whom they had a long-term relationship. The clinic sent three warning letters demanding that he delete the videos and refrain from distributing them.

Additionally, the clinic sent four letters of warning to the man (from the previous section) who were filmed during a sexual act, and following the letters, the content was erased.

V. Domestic violence – financial violence

The clinic aims to address all kinds of violence against women, including the oft neglected phenomenon of financial violence.

- The clinic is representing a young woman who was taken out of her home as a child due to severe neglect. The young woman continues to suffer harassment by her family, and recently discovered she had debt created by her family. Her sister caused an accident with a car she had listed on her name without her knowledge. She first learned of the car and accident when her bank account was seized. In January 2024, the clinic filed a request to cancel the judgment, and in March 2024, the request was accepted, and the judgment was canceled. Currently, we are awaiting a hearing in the main case, where we will try to prove that our client suffered financial abuse from her family and was unaware of the debt. In addition, following the legal action, the client's family began to harass her and publish false information about her on social media. In March 2024, the clinic filed a petition for a restraining order on her behalf, and the order was granted.
- In addition to representing individual victims, the clinic is working to raise awareness of financial violence by conducting workshops for various audiences. In the Spring semester the clinic held two workshops for the "Derech Ariela" organization, which provides services to addicted women.

VI. Sexual harassment of a doctor

The clinic is representing a junior doctor who complained against a senior doctor who sexually harassed her as well as against the department head for failing to report her complaint to the hospital HR department and allowed the harassment to continue. Furthermore, the department manager started to harass her, and eventually terminated her residency. In March 2024, the clinic filed a lawsuit with the Regional Labor Court in Tel Aviv against the department manager and the Ministry of Health for sexual harassment and harassment and required the court to order the Ministry of Health to reinstate the doctor in her residency position. The Doctor's Association filed a brief supporting our position. The state claimed that the Labor Court was not authorized to adjudicate the case because the doctor was a military doctor, and no employment relations obtained. The clinic argued that for the sake of sexual harassment, military doctors should be seen as employees. During the spring semester, multiple hearings were conducted on this preliminary issue, Finally the court issued a decision stating that the despite being in the military, the doctor was an employee for the sake of the protections from sexual harassment.

The Human Rights Clinic
Clinical Director: Adv. Abeer Baker
Academic Director: Dr. Ilan Saban

The Human Rights Clinic exposes students to the power imbalances present in society and the resulting violations of human rights. Disadvantaged and marginalized populations (such as ethnic minorities, people with disabilities, crime victims, undocumented individuals, and prisoners) require more assistance than others in realizing their human rights and accessing the legal system.

Students in the clinic engage in a combination of legal, para-legal, and applied legal research activities. The clinic operates on an individual level by advocating for the rights of clients before state authorities and approaching relevant judicial bodies. On a broader community level, the clinic conducts meetings with various disadvantaged populations and their representatives. The clinic works to change policies where such change is needed by filing significant petitions, drafting legislative proposals, writing position papers, participating in forums, and collaborating with many human rights organizations in the country.

In the academic course, students analyze the law and its potential to serve as a tool for social change through theoretical analysis of human rights theories and fields both domestically and internationally. The seminar addresses various issues in the field of human rights and the ways in which different social change agents have worked to promote and protect the human rights of various groups in the country.

The clinic enrolled 13 students this year who took part in various cases, including the following:

I. Legal Aid for Undocumented Individuals

The Human Rights Clinic provides services to various groups of undocumented individuals in the country, including Palestinians, asylum seekers from North Africa, and migrant workers. The legal issues faced by these individuals are diverse, including issues related to residency status, the right to health (both physical and mental), the right to housing and welfare services, debts, employment, family matters, and more. Some seek residency status in Israel based on permanent residency, marriage to an Israeli spouse, or due to threats related to suspected collaboration with Israeli authorities or sexual orientation. In relevant cases, students work on applications to appropriate authorities, including the Ministry of Interior and its various committees, appeal bodies, courts, and health funds. It is important to note that handling these cases is lengthy and complex due to the numerous issues faced by clients requiring intensive work with various governmental authorities. Here are just a few examples of the cases the clinic dealt with this year:

- In June 2024, we received a request from the Haifa Welfare Department regarding an Arab woman, mother of three children aged 7-11. The woman, originally from Jenin, was married to an Israeli resident of Haifa. The family is known to the welfare department. After her divorce, the family reunification process was halted, leaving her in an illegal residency status with a looming deportation order to the West Bank. Her ex-husband is exploiting this situation, delaying alimony payments, and threatening to report her to the police if she files a complaint. The clinic is working to submit a request

for humanitarian status, and till then we have secured a temporary three-month permit to alleviate her fears of her ex-husband and enable her to earn a living.

- The clinic is handling a case of an Ethiopian-Tigrayan woman who arrived in Israel in 2008 seeking asylum. Upon arrival, she declared that she was Sudanese and concealed her Ethiopian origin due to fear of deportation. Later, she married an Eritrean and received a residency permit based on that marriage, as Eritreans are provided a collective protection from deportation. The woman sought status based on her Tigrayan origin following a 2021 decision to grant collective protection to Ethiopians of Tigrayan origin due to the civil war. The Ministry of Interior refused to grant her a permit based on this protection, claiming that she had declared her origin as Sudanese upon entry despite holding an Ethiopian passport. An appeal filed by the clinic in February 2023 was rejected in February 2024, as was the appeal.
- A Palestinian lesbian, whom we previously assisted in obtaining temporary residency due to threats in the territories related to her sexual orientation, contacted us again requesting continued assistance. The woman disappeared during the war, and it was discovered that she was promised a work permit, despite everyone knowing that the state had stopped issuing work permits for Palestinians since October 7. When she realized she had been misled by her employer, she requested our assistance for a temporary permit as she feared deportation to the territories where she could be harmed. The clinic submitted an updated request to the welfare department in the Civil Administration, which noted that she was willing to leave the country, but this is not possible as her Palestinian passport is expired, and there is little chance she can renew it in the West Bank on her own. The Civil Administration informed us that the request is being processed and they will schedule an interview to examine the request. No interview date has been set yet, and we continue to monitor developments and act accordingly.
- The clinic is representing a 36-year-old Palestinian woman from the West Bank who fled her husband of 18 years, with whom she had four children, due to severe violence inflicted on her over the years. Her request for divorce has not been resolved by the Sharia court due to her flight and her husband's refusal to grant the divorce. Returning to the territories endangers her life, but the state requested that she find another place of refuge abroad. Following the clinic's request which explained the client's difficulty in traveling abroad, the residency permit was renewed for three months. Recently, we submitted another request for permit renewal, which was granted for one month until she is scheduled for an interview.

II. Unauthorized and Abusive use of Sexual Content on Social Media

The clinic, together with the Feminist Legal Clinic and the Law, Technology and Cyber Clinic, is working to protect against unauthorized and abusive use of sexual content on social media, including the use of “deepfake” technology to produce sexual content. The project has received funding for two years from the Class Actions Fund. As part of the project, the Human Rights Clinic provides legal assistance primarily to the Arab population. During the academic year, the clinic provided assistance in four cases in this context:

- In February 2024, the clinic assisted a young Arab woman from Jaffa whose intimate photographs were circulated on social media and sent to acquaintances. Following the

clinic's intervention the content was removed and no further attempts at distribution were made.

- In April 2024, the clinic was informed about several Facebook pages featuring photos of two Arab minors with captions describing them as promiscuous. The school was instructed to report to line 105. The pages were removed within a few days.
- In June 2024, the parents of a student at a private school in Nazareth approached the clinic seeking help in removing a video circulated among schoolchildren showing their minor daughter in an intimate situation with her boyfriend. After contacting the school's administration, the video was deleted, and students were warned against distributing it further, as they could face criminal charges.
- In July 2024, an Arab woman contacted the clinic after lending money to an acquaintance for investment purposes and discovering that he had embezzled her money. After she requested the return of her funds, he began threatening to publish intimate messages and photos she had previously sent him. The woman was advised to file a police complaint against the blackmail attempt.
- The clinic also provided legal consult and aid in other cases of for victims of crimes. In the first case, the client is an Arab member of the LGBTQ community who filed a complaint against his cousin, who had systematically abused him when he was a minor. The second case involves a victim of a violence related crime who was not updated by the Israel Prison Service about the expected release of the offender, as required by the law.

III. Linguistic Accessibility in Health Care for Members of the Ethiopian Community in Health Services

The Welfare Department of Haifa Municipality requested the clinic's assistance in addressing the issue of accessibility to health services for members of the Ethiopian community. In May 2024, a roundtable was held with community activists, representatives from the Haifa Welfare Department, and students from the clinic. Following the decisions in the meeting, the clinic filed a Freedom of Information request to understand how the Ministry of Health ensures accessibility to health care for people who are not fluent in Hebrew, and specifically for people from Ethiopian origin. In its response, the Ministry of Health stated that it works with interpreters to assist patients in medical care and actively checks the quality of its services. Following the clinic's intervention, the representatives of the Ethiopian community reported a significant improvement in the provision of services.

The Law, Technology and Cyber Clinic Clinical Director: Dr. Dalit Ken-Dror Feldman

The Law, Technology and Cyber Clinic aims to address the many legal challenges arising in the technological era. These issues include, among others: privacy protection and Big Data, intellectual property, freedom of expression online, cyberattacks and national security, and suppliers' responsibilities for online breaches. The clinic combines an understanding of technological innovations with expertise in the relevant legal fields for the regulation of these innovations and uses legal tools as a means for social change and protection of rights in technology and cyber contexts.

In the academic year 2023-2024, 17 students participated in the clinic, working on several projects including the following:

I. The Elderly and Digital Accessibility

The clinic aims to ensure that the shift to digital services does not exclude the elderly, who often have problem accessing digital applications, including government services, online consumer services, and more. In this context, students worked on several fronts:

1. **Creating a Website Index:** The clinic contacted the Israeli Internet Association to create an index for government and public websites that cater to or provide services for the elderly. The goal of the index is to examine how well online sites meet the needs of older audiences, thus encouraging voluntary self-regulation (in light of the difficulties that arise from implementing accessibility regulations). During the second semester, three coalition meetings were held to discuss how to quantify and prepare the index objectively (March 19, April 10, May 16), one of which included a representative from Israel's National Digital Unit to explore the possibility of jointly creating the index. The index project will continue in the next academic year.
2. The clinic published a position paper on the subject (June 2024), detailing relevant legal arrangements concerning digitization and the elderly, such as the right to cancel online transactions under conditions different from other users. The paper also included references to essential phone lines for assistance with government websites and links to organizations that help. The paper was distributed among organizations working with elderly populations, social workers, and NGOs connected to the elderly or the internet. The position paper also briefly outlined the difficulties encountered during the transition to online services among populations with lower technological literacy, including the elderly.
3. The clinic's supervisor advised the Internet Association, along with another group of researchers, on surveys dealing with digitization and aging, the problems that arise, and the transfer of findings to relevant regulators for action. The final report was presented by the association in the Knesset at a meeting of the Science and Technology Committee on June 24, 2024.
4. **Individual consultations:** The clinic provides legal advice and assistance in individual requests related to digitization and the elderly. The clinic assisted an elderly woman in canceling an online transaction when the terms of the transaction were not fully presented before receiving the service.

II. Privacy

Privacy and Artificial Intelligence in the Education System

- The clinic approached the Ministry of Education regarding privacy issues in smart classrooms, where technological tools are integrated. Additionally, the clinic offered its services in designing regulation of artificial intelligence in the education system, addressing both privacy aspects and the chilling effect on learning when every action is documented. The clinic sent a follow-up reminder but has not yet received a response to our inquiry.
- Concurrently with the inquiry, the clinic began drafting a position paper on the subject, addressing privacy laws, student rights, and other relevant regulations, as well as referencing articles and studies on the subject both domestically and internationally.
- The clinic, together with the Movement for Freedom of Information, prepared a Freedom of Information request regarding pedagogical management software, including who has access rights, how long records are kept, and more. The request will be sent in the near future and the project will continue next year.

Privacy and Legislation

- The clinic participated in three meetings of the Knesset Constitution, Law, and Justice Committee regarding the Privacy Protection Law (Amendment No. 14). This amendment represents a significant change to the existing law. It seeks to adapt the law to the digital age, adopt arrangements established in Western countries in recent years, eliminate the extensive registration requirement for databases, and grant greater oversight and enforcement powers to the Privacy Protection Authority. The bill was legislated in the beginning of August.
- The clinic, together with the Israeli Internet Association and the Privacy Clinic at Tel Aviv University, wrote a response to a proposed bill on the inheritance of digital assets and memories. In the digital age, email accounts, social networks, and more are an integral part of our lives. When a person dies, the question arises as to what will happen to these assets. Currently, each platform determines its own policy regarding ownership and access to assets and memories after death, creating difficulties and inconsistency. The Israeli Internet Association found significant differences among the tech companies regarding the management of accounts after death. This situation leads to high costs and considerable trouble for heirs. The lack of a uniform legal framework creates many difficulties, both in routine and in disaster scenarios. Therefore, legislation is needed to regulate the management of digital assets and memories after death, considering privacy and the rights of users and third parties. The clinic participated in two meetings of the Constitution, Law, and Justice Committee on the subject. The bill was approved by the committee at the beginning of July for a second and third reading in the plenum.

III. Copyright and Performers

- The clinic provides legal aid to non-profits and educational institutions in the area of copyright. For example, the clinic assisted the Gila Project – for Trans Empowerment

- in drafting the website's terms of use and privacy policy, and also advised on copyright issues arising.
- The clinic also provides legal advice to institutions of higher education concerning copyright and Creative Commons (usage licenses in which only some rights are reserved, allowing the creator to choose the limitations and permitted uses attached to the work). This includes how to make journals available under these licenses. Among other things, the clinic established a project with representatives from libraries at the University of Haifa and Bar-Ilan University to map the existing policies of Hebrew journals and publishers regarding open access within open science. In this context, the clinic developed a modular legal policy form for copyright that will facilitate a simpler regulation of open access policies by publishers when those do not already exist.
- The clinic participated in a discussion in the Knesset Economic Committee regarding an amendment to the Performers and Broadcasters Law, 1984 that seeks to align the conditions that apply to performers with those that apply to creators. The clinic argues that although legislation needs to be updated there remain fundamental differences between creators and performers. The clinic wrote a response to the proposed legislation, which was also published on the committee's website as preparatory material for the Knesset debate.

IV. Algorithmic Transparency in the Age of Artificial Intelligence

This year was the third and final year of the EU-funded project (with the Movement for Freedom of Information), for promoting transparency in governmental algorithmic decision-making. The project has involved sending 31 letters to various authorities, over 60 freedom of information requests, and several petitions to courts. Here are two examples:

- The clinic filed an Amicus Curiae request in a Supreme Court appeal concerning whether algorithms fall under the definition of "information" in the Freedom of Information Act. The court accepted our position on the substance, remanding the case to the District Court. However the request for revealing the algorithm was then denied on different grounds (the court decided that the exceptions for disclosure apply).
- This year, the clinic, together with the Civil Litigation Clinic and the Movement for Freedom of Information, filed a petition requesting the source code of the "Dignified Living Calculator" created by the National Insurance Institute based on the Harris Report (Report of the Committee for Examining the Repayment Plan in Bankruptcy Proceedings, 2015), which was featured on the National Insurance Institute's website but was later removed. The petition raises the fundamental question of whether algorithmic transparency is included in the Freedom of Information Law and, if so, what its scope is. On March 10, 2024, a preliminary hearing was held at the Jerusalem District Court. During the hearing, the judge suggested that if the source code cannot be provided, the National Insurance Institute provide the petitioners with the system's specification documents. Before the next hearing, the clinics received Excel documents detailing various aspects of the calculator but not including the algorithm on which the calculator was based, so it was decided to continue with the petition. In the follow-up hearing held on June 20, 2024, the principal question was whether the source code constitutes information under the Freedom of Information Law or whether only the system's specification documents fall under

"information." The court requested the parties to present expert testimony explaining the concepts of "software", "source code", "specification documents", and also explaining whether providing the source code could compromise the National Insurance Institute's information security. The next hearing is expected in October 2024.

- In July, the clinic published a joint report with the Movement for Freedom of Information, providing background on the current state of algorithmic transparency and the Freedom of Information Law both globally and locally. The report also included data collected from various authorities and government offices regarding the software used in judicial work at those places.
- The clinic and the Movement for Freedom of Information published a document detailing the use of algorithms in rights calculations, tailored to the needs of the Iron Sword conflict, and how to appeal decisions made using or based on an algorithm.
- Additionally, the clinic prepared a general information page on individuals' rights against government and public institutions in processes involving algorithmic decision-making. The page has been translated into English, Russian, Arabic, and Amharic and will be distributed at the beginning of the next academic year.

V. Online Sexual Harassment

The clinic, together with the Feminist Legal Clinic and the Human Rights Clinic, received a grant from the Class Action Fund for a project to protect against sexual harassment in the online space, which includes individual legal assistance (provided by the other two clinics) and policy promotion. The Technology, Law, and Cyber Clinic began research toward writing a position paper addressing existing legislation in the field and the responsibilities of intermediaries and online service providers for removing harmful content of a sexual nature.

Additionally, the clinic is preparing a position paper on the appropriate legal regulation of fictitious sexual images and videos created using artificial intelligence ("deepfake"). This position paper will be based on an article written on the subject by the clinic's director, the legal feminism clinic's director and other authors.

VI. Clinical Research

The clinic's various projects not only produce clinical outcomes but also generate research published in academic journals. During the current semester, the following research related directly to the clinic's activities has been accepted for publication:

- Dalit Ken-Dror Feldman, Or Sadan, Racheli Edri-Hulata, Uri Sold "Transparency in the Age of Artificial Intelligence: Israeli Law" *Society, Law, and Culture* (expected to be published soon).
- Michael Birnhack, Noa Diamond, Orit Fishman-Afori, Dalit Ken-Dror Feldman (in alphabetical order) "Memory and Law: Legal Aspects in War Documentation Projects" *Memory and Research*, Issue 5 (to be published in 2024) <https://ssrn.com/abstract=4894981>.

- Daniel Ben-Oliel, Dalit Ken-Dror Feldman "The Collateral Risk in Start-Up Ventures" (expected to be published in *Mazani Mishpat*, 2024/2025).

The Law and Education Policy Clinic

Clinical directors: Adv. Haran Riechman and Adv. Efrat Lopo Moskovitz

Academic director: Dr. Tammy Harel Ben Shahar

The Education Law and Policy Clinic has completed its 14th and final year, and will close at the end of the month. In the years since its establishment, the clinic has gained expertise and experience in the field of education law and policy, and it is the leading legal entity in Israel in the social and legal struggle for educational equality. Over its years of operation, the clinic represented thousands of students and their families, as well as social organizations representing marginalized groups in matters related to educational equality and the promotion of rights in education.

The individual cases the clinic dealt with address a range of issues such as discrimination in the education system, violations of the right to free education, failure to implement rights in special education, prohibited school admissions, student expulsions, and more. The individuals who approach the clinic come from all segments of Israeli society—secular, ultra-Orthodox, religious, and Arab—with special emphasis placed on assisting marginalized populations and cases with broader public impact.

This year, 13 students participated in the clinic, starting their activities in the summer semester, where they underwent focused training to respond to the hotline operated by the clinic every year during the summer months—a period with many inquiries in anticipation of the new school year. During the operation of the hotline this year, approximately 60 inquiries were addressed, some of which required ongoing attention throughout the year. In addition to the summer inquiries, the students handled approximately 60 additional cases.

Below we describe some of the issues the clinic addressed during the 2023-2024 academic year:

I. Budgetary Inequality: Religious State Education

On March 7, 2024, we approached the Minister of Education on behalf of the National Parents Leadership and the “Menahem” Center, requesting an examination of the funding mechanism for the state school system due to apparent inequalities. According to data published by the Ministry of Education on the budget transparency website over the years, the education system is funded in an unequal manner both in terms of the budgeting rules, which lack equitable criteria, and in terms of outcomes, leading to a clear preference for religious state schools over the secular state schools.

In our request, we highlighted these disparities as they manifest from elementary schools through middle schools to high schools. For example, religious schools receive funding for prayer hours that have no equivalent in the state secular education system, or allocations for extended school days in religious state education without socio-economic criteria, differences in the size of schools, the extent of study units in religious state schools, positions for “religious leaders,” and more.

We argued that the Ministry of Education should ensure equality in funding across different sectors of public education whilst taking into account the socio-economic characteristics of the students (as recommended by professional committees in the past).

II. Equal education for asylum seekers

During its years of operation, the clinic has conducted numerous legal proceedings to ensure local authorities comply with the law and provide free state education for asylum seekers' children in an equitable manner and without segregation. This year, we assisted asylum-seeker children with various issues, including failure to address complaints of sexual abuse at school, student placements, special education processes, and more.

For several years, the flagship case in this area has been the petition against the segregation of asylum-seeking children in educational institutions in Tel Aviv. The municipality maintains separate kindergartens and schools for asylum seekers which has severe detrimental effects on their education and wellbeing. In August 2021, we filed a petition (together with the Association for Civil Rights) on behalf of hundreds of children, as well as Israeli citizens, city council members, and organizations (Asaf, the Association for Civil Rights, Levinsky Library) against the racial segregation policy in the city's educational institutions. The petition was rejected, and we filed an appeal to the Supreme Court, in which we argued that the court ignored the central issue—whether the "separate but equal" policy is legal, that the registration policy does not meet the procedural requirements set by the registration regulations, and we emphasized the immense educational damage caused by segregation for asylum seekers.

Ahead of the hearing held in June 2023, the state and the Tel Aviv Municipality announced an agreement for a pilot program in which, over the next two years, nearly 100 children in first and second grades will be transferred to educational institutions in the northern part of the city, with transportation and support funding. Simultaneously, they announced a process to strengthen and support the separate schools for the benefit of the children continuing to study in segregation. Since then, we have been closely monitoring the process and addressing specific issues that arise, under the court's oversight. The registration for the pilot for the 2024-2025 school year encountered several deficiencies, but in most educational institutions where asylum-seeking children were integrated, the integration has been successful beyond expectations.

On April 15, 2024, an update hearing was held in the Supreme Court, where our position was accepted, and the court will continue to oversee the process to ensure its success. During the hearing, it was explicitly stated that the professional bodies in the Ministry of Education had changed their position and support the continuation of the pilot, seeing it as an educational success.

Currently, we are handling requests to allow additional children to participate in the pilot due to some leaving for other cities, ensuring adequate transportation following address changes, and proper support for the pilot.

III. Special Education cases

As in previous years, a significant share of the cases received by the clinic this year concern children eligible for special education services. These cases concern problems with placement in special education or in specific schools, problems realizing students' eligibility for services and accommodations, staff shortages, and more. The clinic attempted to assist parents in communication with the education system and to reach agreements with the system.

For example, we assisted a mother of a child with learning disabilities who claimed that placements for children exceeding the approved number had been approved in her daughter's class in an unusual manner. The student handling the case helped the mother communicate with the school system and the district special education inspector, where they reached an agreement on an excess of 2 children above the standard, after it was clarified that the reason was staff shortage.

In another case, we assisted a mother of a 14-year-old child who had been discharged from hospitalization after studying in a special school at the hospital (under the Sick Children Education Law). In the school where the parents wished for him to be placed, there was no available space. After a meeting with the parents and an explanation of the legal situation, they used the information we provided to have discussions with representatives of the school and the local authority, resulting in the decision to place the child in the school as requested by the parents.

IV. Sick Children Education Regulations

The clinic has been involved in promoting the right to education of sick children for several years. In 2018, we won a petition to the Supreme Court (1860/18) demanding that the Ministry of Education establish an educational program for sick children and issue regulations as required by the Free Education for Sick Children Law. Despite the court ruling, the issuance of the regulations was significantly delayed. On March 18, 2024, the first discussion on the draft regulations was held in the Education Committee (the Minister is required to consult with the committee), followed by about five additional discussions and exchanges of positions, in which the clinic participated. The process concluded in early August 2024 with the issuance of the regulations.

The new regulations met one of our central demands, namely that the responsibility for the care of sick children would be with the Ministry of Education rather than a contractor who had previously handled this issue. The clinic provided its position on the regulations and participated in the discussions, including a presentation by a clinic student who was herself a "sick child" and received educational services under the law.

We are pleased that under our leadership, along with other organizations, in coordination with the legal advisors of the committee and with significant cooperation from representatives of the Ministry of Education, the regulations underwent substantial changes from the original draft. These changes included increased responsibility for schools, the possibility of expanding teaching and therapeutic hours, streamlining processes, supporting students who have partly returned to school and more.

V. The State-Religious Haredi Education System

The clinic has been providing legal representation and support for the movement toward establishing state Haredi schools for several years. Establishing the state Haredi stream is a crucial change in Israeli public education, in which Haredi children receive adequate education including core curriculum and full and equal public funding. In the past few years increasing number of Haredi schools and communities are showing interest in joining the stream, which already involves hundreds of educational institutions (over 5% of Haredi children). Recently, several Hasidic groups and sects are considering joining this stream.

In addition to representing various groups interested in establishing schools for their children, the clinic led a successful campaign to implement regulations that grants priority status to state Haredi schools in terms of providing resources and buildings to these schools.

This year the clinic assisted three groups of parents—in Be'er Sheva, Ashkelon, and Haifa—in the process of applying pressure on their local authorities and the Ministry of Education to join the state Haredi stream.

VI. Opposing the Daycare Camera Law

Members of Knesset from the Likud party are promoting a private bill, supported by the coalition, that would allow private daycare centers for infants to broadcast live (online) footage of all activities in the daycares to the parents.

The clinic submitted a position paper arguing that this proposal constitutes a severe infringement of the basic right to privacy – both for the children in the facility and the facility’s staff – in a disproportionate manner and without providing children, parents, or staff with a genuine opportunity to give (or withhold) consent freely and fully. We relied on professional opinions showing that such arrangements do not advance child safety. Instead, child safety would be better promoted by strengthening staff in daycares, reducing the number of children per daycare, and overall improving daycare conditions. Instead of doing so the bill worsens working conditions by allowing constant surveillance, and the result will be an aggravation of the severe shortage of staff for daycares, hiring of unqualified and unsuitable staff and ultimately increasing the risk to children.

The Dispute Resolution Clinic
Clinical director: Adv. & Social-worker Dana Gilo
Academic director: Dr. Faina Milman-Sivan

The Conflict Resolution Clinic, which is completing its sixth year, is an innovative and unique clinic. It operates under the belief that using mediation processes and other dispute resolution methods benefits the parties involved in a conflict. Therefore, it aims to embed and disseminate the mediation worldview both among the students in the clinic and the broader community.

A significant portion of existing conflicts can be resolved through dialogue and cooperation between the parties as an alternative to going to court. Conducting mediation in a conflict situation can restore damaged relationships and sometimes even improve them by creating new opportunities for collaboration. Additionally, the use of mediation tools empowers parties, allows them to voice their concerns, and helps them take control of the conflict resolution process. Mediation is particularly important for disadvantaged populations. By imparting mediation skills, such as listening, positive messaging, and improving communication abilities, many conflicts can be prevented in advance, and users can achieve their goals while minimizing harm to others.

This year, the clinic began its activities with 16 students, but due to the war, two students served extended reserve duty, so the clinic operated with 14 students for most of the year. Unlike previous years, where students completed the mediation course during the summer, this year the course was interrupted by the war and continued into the first part of the fall semester.

The activities of the clinic include pro bono mediations and various projects to embed the mediation discourse, including mediation projects within the university, policy advancement on mediation issues, and the development of the mediation community in Israel.

Additionally, before the academic year began, due to significant tensions between Jews and Arabs at the university at the start of the war, the clinic led a process of building agreements among students and lecturers—Jews, Arabs, and Druze—within the faculty. This process resulted in the drafting of a joint charter for safe and respectful speech and the establishment of an internal mediation mechanism. The mediation mechanism operated several times throughout the year and successfully resolved disputes within the faculty.

Below is an account of some of our activities in the passing year:

I. Pro Bono Mediation

- At the beginning of the year, a mediation took place in a defamation case brought by a sex therapist against a publication on social media in which the defendant implied that the therapist acted unethically with clients. The parties entered mediation after negotiations between their lawyers broke down, and they could not agree on the revised publication draft proposed between the parties. The mediation concluded with an agreement between the parties, which was submitted to the court for approval.
- In March 2024, the clinic performed a mediation between two nonprofits that provide services to at-risk youth that encountered a financial dispute over payments that were not

transferred from one organization to the other. The mediation was successful, with an agreement reached between the two organizations on the amount to be paid, and the case was resolved to the satisfaction of both parties.

- The clinic engaged in a mediation between a couple who divorced a few years prior, and the current dispute concerned the agreement and alimony payments. The situation between the parties was very difficult, with a deep and complex conflict. Two students observed the mediation, and two sessions were held. The mediation raised claims from both sides, primarily regarding changes in circumstances since the signing of the initial agreement. The mediation process is ongoing, and additional sessions are expected to be scheduled.
- **Small Claims Court Mediations:** During the past year, the clinic handled 13 small claims cases concerning various topics. For example, in April 2024, the clinic mediated in a dispute between a construction company and a homebuyer. The parties encountered a dispute due to the delay in handing over the apartment, which occurred later than agreed in the contract, leading to financial damage for the buyer. In another case, the clinic performed a mediation between a large food retailer and a customer regarding bottle recycling at a branch in the northern region who did not receive the service as expected.

II. Mediation Tools Workshop

Conflict resolution tools can empower underserved populations, allowing them to advance their interests optimally while maintaining important relationships in their lives. Therefore, the clinic conducts workshops to provide conflict resolution and mediation tools within various frameworks for underserved populations, such as community housing for people with disabilities, residential facilities for at-risk youth, and more. The students prepare the lesson plans for the workshops based on the content learned in the mediation course and tailor each plan to the specific target audience for the workshop, with guidance and supervision from the clinic director.

During the first semester, the students developed the structure and content of the workshops and presented a sample workshop to their classmates in the clinic. In the second semester, the clinic performed the following workshops:

- **Haifa Criminal Community Court:** In the 2023-2024 academic year, the clinic students conducted three workshops, each consisting of three sessions, for participants in the Criminal Community Court program in Haifa, people who were involved in crime and the program aims to rehabilitate them. The workshops received much praise and requests for a follow-up workshop, which took place in the second semester and covered more advanced and complex topics. The community court team also commended the impact of the workshops on the participants, and collaboration is planned to continue in the coming years.
- **"Derech Ariella" Association:** In the 2023-2024 academic year, a workshop was held at "Derech Ariella," an organization that assists women struggling with addiction and prostitution, providing conflict management tools for the women residing there. This is a place fraught with conflicts, and the women come from very complex and difficult backgrounds. This year we facilitated a workshop for the staff at the organization and the participants were very appreciative of the tools they received.

III. Labor Court Mediation

Since 2021, students in the clinic participate as observers in mediation processes conducted by court-appointed mediators at the Haifa Labor Court. Following the mediations, students are required to write in which they describe the mediation, the use of the various mediation tools by the mediators, and their reflections on the process. At the end of the year, a comprehensive report is submitted by the clinic to the President of the Labor Court.

At the beginning of the year, an introductory meeting was held between the students, the clinic director, and the President of the Labor Court in Haifa, Honorable Judge Yigal Glem, and an additional training session on labor law was held to prepare the students for the mediation sessions. During the year, the students observed mediations and submitted 34 reports. The findings from these reports were presented to the President of the Labor Court in July at the wrap up meeting, and some of them have been implemented into actionable recommendations, such as a workshop scheduled to be conducted by the clinic director for the court's mediators in November 2024.

IV. Restorative Justice

The team working on restorative justice performed a mapping of the field of restorative justice processes, with an emphasis on restorative justice processes within educational settings and the Israel Defense Forces (IDF). Several attempts were made to coordinate joint activities with the IDF, which were unsuccessful. Additionally, as part of the learning process about restorative justice, the team watched a lecture on online dispute resolution in cases of sexual offenses. The project will continue next year.

The Public Defender and Criminal Justice Clinic
Clinical Director: Adv. Sharon Ringer
Academic Director: Prof. Hagit Lernau

The Public Defender's office was established according to the 1995 Public Defender Act and is in charge of ensuring legal representation in criminal procedures for suspects and defendants who do not have access to legal representation. The populations represented by the Public Defender's Office are those with limited means, minors, and individuals with disabilities. The clinic combines theoretical lessons with practical work.

This year, 16 students participated in the Public Defender's Clinic and the criminal justice system. In the lessons, students discuss the dilemmas faced by defense attorneys, drawing from case law, legislation, professional literature, and films that illustrate these dilemmas. Additionally, topics such as the management of criminal proceedings, the rights of defendants and suspects, and the professional and ethical duties of defense attorneys are explored. In their practical work, the students work in partnership with the Haifa office of the Public defender's office in the Ministry of Justice. Unlike other clinics at the university where all students work with an "inhouse" clinical director, in the Public Defender's Clinic, students are partnered with practicing attorneys who represent defendants and detainees in criminal cases on behalf of the Public Defender's Office in various courts. Throughout the academic year, students shadow their supervising attorneys, assisting them with a wide range of tasks. Among other things, students accompany the attorneys to court hearings, meet with clients, visit detention facilities, and assist in preparing defenses for suspects and defendants.

The work in the clinic is very intensive. Students accompany attorneys to multiple court hearings throughout the year, attend meetings with clients, visit detention facilities, and more. The work also sometimes involves dealing with complex emotional situations. On one hand, students come with a strong belief in human rights, in the importance of the right to representation, and in the sanctity of fair process. On the other hand, facing real evidence for the first time—such as victims' statements and videos from crime scenes—can be challenging, as students struggle to balance their emotions. These experiences and insights into the work of a defense attorney are processed during the clinic's classes.

The academic seminar was taught by prof. Hagit Lernau, who discussed various theoretical issues including criminal policy making. The clinic, together with prof. Lernau, visited the Knesset and met with various members including the legal council for the Law and Constitution committee.

The clinics are deeply grateful for the support of the following foundations: The David Berg Foundation, The Weil-Bloch Foundation, The Galileo foundation, The Habiby Foundation.