

SAVE -- *You will need this to complete reports throughout the semester.*

OBJECTIVES AND METHODS

PROSECUTOR/DEFENDER CLINICAL PROGRAM

- I. OBJECTIVE: Gain in-depth understanding of the realities of legal and judicial process in the state criminal justice setting, including the functional applications of relevant substantive and procedural law and the code of ethics.

METHODS:

1. Observe the full spectrum of professional activities and formal proceedings in the state criminal justice system, including preliminary hearings, discovery and pre-trial practice, motion hearings, and adjudicatory and sentencing hearings.
2. Observe experienced attorneys in case preparation, including client/witness interviews.
3. Assume the role of attorney in a broad spectrum of the lawyering activities common to the criminal justice system.
4. Intellectually explore perspectives on the criminal justice system and ethical considerations through daily journals, regular discussions with faculty and other clinical students, and analytical comparison of academic theory with the externship experience.

- II. OBJECTIVE: Develop familiarity with and beginning proficiency in the professional skills of an attorney in the criminal justice system.

METHODS:

1. Observe supervisors and other senior attorneys conducting each of the following: client and witness interviewing, first appearances, (bond and probable cause hearings), arraignments, discovery, plea negotiations and hearings, motion practice, bench trials, jury trials, sentencing hearings and violations of probations.
2. Progressively assume the role of attorney for each activity, as feasible, while discharging responsibilities primarily for cases assigned to the student.
3. Solicit and accept critique on a regular basis from supervising attorneys and, when possible, judges and opposing attorneys, concerning effectiveness and progress in developing professional skills.
4. Reflect and report on professional effectiveness in each setting, through daily

journal entries, completion of court appearance forms and periodic reports, and seminars with faculty and other clinical students, in order to perceive and integrate ways to improve skills.

5. Systematically review criminal practice materials and submit written summaries of skills content in comparison with clinical observations and experience.

III. OBJECTIVE: Begin to establish the following lifelong professional habits and skills while experiencing the constraints and stresses inherent to litigation:

- a. self-reflection,
- b. self-correction,
- c. effective communication,
- d. effective collaboration with professionals and staff
- e. maintenance of personal balance and healthy, realistic perspectives.
- f. organization and time/case management.

METHODS:

1. Accept professional responsibility for a spectrum of assigned lawyering tasks, including a representative (though reduced) caseload.
2. Actively participate in the structuring of effective working relationships with one or more senior professionals.
3. Accept initial and continuing guidance and critique from one or more supervisors concerning assigned tasks, and engage in constructive dialogue based on that critique.
4. Accept increasing measures of responsibility to independently accomplish lawyering tasks, while learning to recognize when and how to request guidance or collaboration from supervisors and colleagues.
5. Through intensive participation in the disposition of actual cases, begin to experience the potential for effective lawyering, and the limitations on achieving desired outcomes, inherent in the adversarial process.
6. Recognize and discuss personal successes and frustrations; engage in self-reporting and self-reflection concerning personal well-being and professional progress; and begin to develop personal perspectives on legal process and practice through experience-based daily journal entries, periodic reports, and seminars with faculty and other clinical students.