

THE UNIVERSITY OF MEMPHIS LEGAL CLINIC
CHILDREN'S DEFENSE CLINIC
(Faculty Approval Pending)

The Basics

COURSE NAME: Children's Defense Clinic

GRADED CREDIT HOURS: Four (4) **REQUIRED:** No **ELECTIVE:** Yes

PREREQUISITE: Professional Responsibility **CO-REQUISITE:** Evidence

Course Description

In the Children's Defense Clinic, supervised student attorneys will provide legal representation to youth facing criminal charges in delinquency proceedings in the Shelby County Juvenile Court. Clinic students will complete a curriculum designed to provide training in the handling of delinquency cases, to enhance the vital lawyering skills students will use in their casework and in practice beyond, and to expose students to the complex legal, policy, social, and economic issues that arise in the juvenile justice and criminal defense settings. The Clinic will emphasize team practice and collaboration, and, where possible, develop and seize on interdisciplinary partnerships to provide broadly focused, multi-systemic advocacy for Clinic clients.

It is anticipated that the Children's Defense Clinic will provide direct representation to children in all phases of delinquency cases, such as: (1) pre-petition matters (e.g., detention proceedings), (2) post-disposition matters (e.g., disposition review and parole revocation hearings), and (3) appeals. They will also engage in systemic reform through policy advocacy. It is further hoped that the Clinic will assist in the development of training materials and conduct training programs focused on best practices in juvenile criminal defense.

Course Structure

Under the supervision of its Faculty Director, Clinic students will engage in all aspects of casework, including interviewing clients and witnesses; fact investigations; and development of pre- and post-trial strategies. Students may draft correspondence, motions, briefs, memoranda, and pleadings in trial and appellate courts, and, as necessary, in administrative settings. Pursuant to applicable student practice rules, students may argue motions, negotiate with opposing counsel, and represent clients at trial. As appropriate, students may also present oral argument before appellate courts and testify before legislative bodies.

To complement their casework, Clinic students will participate in a weekly classroom session designed to explore the legal work they will be performing, the range of systems

and the legal, policy, and ethical issues at play in the juvenile justice context and that affect at-risk youth. The seminar component of the weekly class will also include case rounds, during which students will engage in an ongoing discussion of the issues and challenges they are experiencing in the cases they are handling.

Course Enrollment and Credit

The Children's Defense Clinic will be open to a maximum of eight (8) students during the Fall 2016 semester. In order to be eligible for enrollment, a student must have completed at least one-half of the legal studies required for graduation and be in good academic standing. Students earn four (4) hours of graded academic credit for their satisfactory completion of the Clinic course.

Why enroll in the Children's Defense Clinic?

As in other Clinic courses, students in the Children's Defense Clinic will be afforded the opportunity to enhance essential lawyering skills at both the practical and theoretical levels. Through the representation of clients in Juvenile Court matters, students will examine law and lawyering in the context of real litigation, actively navigating ethical, substantive, procedural, and evidentiary rules, and utilizing the critical skills in research and writing, communication, problem-solving, strategy, decision-making, and persuasion they will need to address the multidimensional needs of clients and serve the legal community following graduation. Important values informing these skills will be fostered through a continuous critique of the juvenile justice system, ongoing dialogue about lawyers' ethical and professional responsibilities, and discussion about providing legal services in the low-income community and commitment to public interest lawyering.

What Are Some of the Other Goals of the Children's Defense Clinic?

It is hoped that the Children's Defense Clinic will allow the University of Memphis School of Law:

- To play a role in training a new generation of juvenile defenders;
- To validate and promote best practices in juvenile defense, by modeling zealous, client-directed advocacy; and
- To be a driver of positive law change and systems reform by dedicating resources to the litigation of complex or recurrent issues, or focusing on specific vulnerable populations.

Time Requirements: The Children's Defense Clinic will meet for two (2) hours of regularly scheduled classroom time each week. Extra orientation sessions will be scheduled during the first three weeks of classes to ensure proper introduction to the Clinic's work and training in court and office procedures. Following the Clinic orientation period, Clinic students will be expected to spend fifteen (15) hours per week on Clinic matters, including on case-related activities, in court, and in class.