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## INNOCENCE CLINIC SUMMER TRIMESTER DESCRIPTION AND APPLICATION

Open Date: March 15, 2024      Close Date: May 1, 2024

### CLINICAL LAW STUDENT

- Part-time; ~17 hours per week
- Class credit (4 units)
- 204-hour commitment; 130 minutes of in-person class work, and an additional 15 hours per week outside of class
- Weekly team meetings are mandatory
- Flexible schedule; at least one full weekday reserved for travel for investigation and court hearings

### ORGANIZATIONAL SUMMARY:

California Innocence Advocates (Cal-IA) fights to free the wrongfully convicted and provide support to those re-entering society after decades behind bars. We are a team of innocence lawyers, legal fellows, law clerks, formerly incarcerated people, criminal-legal policy experts, people directly impacted by the system, and volunteers. Together, we have decades of experience in post-conviction investigation, legal research, and litigation. Join us in our mission to liberate the innocent.

To learn more, visit [www.calinnocence.org](http://www.calinnocence.org)

### COURSE AND CLINIC DESCRIPTION

Students enrolled in the Innocence Clinic at California Western will work alongside experienced post-conviction attorneys to seek the release of wrongfully convicted prisoners in the state of California.

The summer course is comprised of a seminar and a clinical component.

The seminar will meet once a week on campus for 130 minutes. Students will receive 2 credits for the seminar portion of the course. This course will explore the issue of wrongful convictions, from causes to remedies. Students will study real cases to examine the causes of wrongful convictions. Students will then learn how post-conviction lawyers evaluate, investigate, and litigate wrongful convictions to bring decades-old cases back to court and free the

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innocent. Finally, during the seminar, students will learn the anatomy of post-conviction motions and petitions, and how to persuasively draft these important pleadings.

Students will receive two additional credits for case work performed under the supervision of their assigned attorney. Students will be required to spend a minimum of 15 hours per week outside of the class session on assigned readings and casework. During the clinical portion of this course, law students will work alongside their supervising attorneys and private investigators to evaluate claims of innocence, investigate these claims, research the law pertaining to the cases, draft legal documents including motions, witness declarations, briefs, legal memoranda, petitions, letters to attorneys and clients, expert reports, and case round memos. Students also attend and participate in court proceedings and advocate for clients.

To receive the most fulfilling experience, students should be prepared to travel for investigations and court hearings throughout Southern California, from Kern County down to the Mexico border. To that end, it is suggested that students keep at least one full weekday completely available for this case work.

There is no final exam. Students are graded on the written work they produce in the course and on their closing memo and presentations.

**Sequence & Prerequisites:** No prerequisites, but enrollment is strictly limited to 14 students.

In order to represent clients in court, law students must have already taken Civil Procedure and concurrently enrolled in Evidence. Students must also have completed the paperwork to be certified by the State Bar of California to represent clients. Obtain a certification form from the Registrar's Office or at [www.calbar.org](http://www.calbar.org).



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## DUTIES

- Intake:
  - Under the supervision of the Clinic staff, interns will complete intakes and evaluate incarcerated people's claims of actual innocence.
  
- Legal Services:
  - Review and accurately synthesize the factual background of cases, including police reports, lab reports, trial transcripts, prior motions and case files.
  - Write memos concerning discrete fact-based questions. For example, regarding whether case facts from the complete record support a particular exoneration theory; prior and current testing history; evidence searches; post-conviction investigation issues.
  - Draft various other materials in support of litigation strategy, for example cover letters and press statements.
  - Prepare court documents for filing, inclusive of proofreading briefs, reviewing citation format in briefs for completeness in accordance with California Manual (yellow book); copying, collating, binding documents and exhibits, preparing tables of contents and tables of authorities, reviewing and summarizing court rules.
  - Conduct legal research using online databases such as Westlaw or Lexis Nexis.
  - Assist with evidence searches, discovery requests and responses, and with preparing public records requests.
  - Liaise with forensic laboratories, and other experts; prisons.
  - Communicate with incarcerated clients and/or their family members.
  - Maintain up-to-date and well-organized electronic and paper case files and docket sheets.
  - Under the supervision of Clinic licensed attorneys, work on all phases of litigation. Legal services may include any, or a combination of the following: legal research and writing; client intake and case evaluation; discovery and case investigation, which may include records requests, document review, and drafting written discovery requests; legal document



drafting, such as petitions, motions, and responses; client representation, and other practical litigation skills; communication with clients, experts, service providers, and opposing counsel; participate in general office and case management upkeep duties, including, but not limited computer data entry of intake and other case information, filing, copying, drafting and filing court documents, and serving notice.

### **KEY COMPETENCIES + VALUES**

- Enthusiasm for the work of the work of the freeing the innocent and unjustly incarcerated
- Enthusiasm for criminal legal system reform and public interest lawyering
- Sensitivity and commitment to diversity and the ability to work respectfully with people of all cultures, backgrounds, and work styles
- Ability to work with a diverse and multidisciplinary staff in a collaborative and fast-paced setting
- Shares in the values of accountability, collaboration, empathy, and compassion, equity, person-centeredness, quality focus, and self-awareness
- Energetic self-starter who is highly organized, persistent and detail-oriented
- Ability to handle multiple tasks simultaneously, prioritize and effectively manage workload, and regularly meet deadlines
- Thrives in moments of unpredictability and performs well under pressure
- Excellent interpersonal and written communication skills and flexibility
- Shares values of equity, excellence, collaboration, humanity, integrity, respect, and accountability
- Excels at both working independently and on a team
- Willingness to abide by supervising attorney's direction, pursuant to the rules of ethics governing lawyers and the supervision of non-lawyers in California
- Manages multiple priorities and follows a project through to completion
- Reliable, flexible, detail-oriented and open to feedback



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## APPLICATION QUESTIONS

1. Why did you decide to go to law school?
2. Why are you interested in taking part in this clinic? Be specific about your motivation and what you can contribute.
3. Describe your career goals and how this clinic will help you reach those goals.
4. What is a criminal-legal issue that is important to you?
5. Do you have any experience with the criminal-legal system, either personal or professional?
6. Are you fluent in any languages aside from English?
7. Describe any leadership positions, job experiences, skills, degrees, certifications, or licenses that you have that will help you with this clinical position.
8. Can you follow guidance and direction from supervisors? Provide an example.
9. Can you work well as a team? Provide an example.
10. Can you work independently, with little oversight? Provide an example.
11. How do you handle difficult or demanding assignments?
12. Are you well organized? Are you able to keep detailed notes regarding all steps you take in a case?
13. What experiences do you hope to gain through this clinic? Be specific. (Examples: research and writing experience, working directly with clients, participating in investigations, etc.)



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14. Did you ever participate in or volunteer for California Innocence Project or any other innocence organization?

15. What is your summer schedule? Please give availability. Will you have at least one full weekday available and are you willing to work on some weekends?

**TO APPLY:**

Send cover letter, written answers to the questions above, résumé, writing sample and non-disclosure agreement **as a single PDF attachment** via e-mail to [info@calinnocence.org](mailto:info@calinnocence.org). Applications will be accepted until May 1, 2024 (Summer deadline) or until the position is filled. Applicants are encouraged to apply as soon as they are able.

**WORKFORCE DIVERSITY & EQUAL OPPORTUNITY:**

Cal-IA considers the diversity of its workforce to be vital to our organization's success in meeting its mission. We strongly encourage applicants from all cultures, races, educational backgrounds, life experiences, socio-economic classes, sexual orientations, age, gender, and physical abilities to apply. Individuals with personal connections to the criminal legal system are strongly encouraged to apply.



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## CLINICAL LAW STUDENT AGREEMENT

As clinical law student working for California Innocence Advocates (Cal-IA), under the supervision of attorneys licensed by the California State Bar, I understand that I am bound by the California Rules of Professional Conduct and Business and Professions Code governing the duties and responsibilities of those attorneys.

In particular, I understand that I am bound by the duty to maintain complete confidentiality regarding any information gained through communication with a client or prospective client of Cal-IA. Maintaining “complete confidentiality” means refraining from discussing client communications with friends, family or with ANYONE not covered by the duty of confidentiality.

My signature below constitutes that I have read, understood, and agree to maintain inviolate client confidences and, at every peril to myself, preserve client secrets. My signature also constitutes that I will not retain, copy, use, disclose, or disseminate any client information or materials, or any information or materials from Cal-IA for any purpose not associated with this internship.

I further agree to not contact or communicate with any clients, witnesses, prosecutors, judges, clerical staff, clients’ family members, press, or anyone else regarding Cal-IA’s cases without the direct approval of my supervising attorney.

I further agree that I will not undertake any action on any Cal-IA case without the direct approval of my supervising attorney. In other words, I agree to follow the direction of my supervising attorney. I acknowledge that failure to follow the direction of my supervising attorney is a violation of the rules of professional and ethical conduct of the laws and codes governing in the State of California.

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Initials



I will not engage in any activity that creates an actual or perceived conflict of interest with Cal-IA or that may negatively affect a client or potential client. I agree to notify my supervising attorney before engaging in any activity that could reasonably be assumed to create a potential conflict of interest. I understand that as a law student working with Cal-IA, any contact I make with media, prosecutors, incarcerated people, or anyone else—even in a personal capacity and even if not related to a case handled by Cal-IA or California Western School of Law—may reflect on Cal-IA and may (even inadvertently) affect a client’s case. Similarly, I acknowledge that any social media posts I make, may affect a client’s case.

I will not work or volunteer for or intern with any prosecutor agency or criminal defense organization while enrolled in the innocence clinic.

I acknowledge that as a result of investigation I may undertake with Cal-IA, I may be called as a witness to testify in court at any time in the future.

Finally, I agree that Cal-IA may use my photographs, videos, voice, handwriting, or likeness on any published materials, including but not limited to social media, websites, or printed materials.

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Name

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Signature

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Phone number

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Email address

(Please provide a non-school, non-temporary email address in case we need to contact you regarding a case years from now)