

San José State University
College of Applied Sciences and Arts/Justice Studies Department

Justice Studies 111, Special Topics:
Record Clearance Project Practical Legal Skills – Spring 2011

Instructor: Margaret (Peggy) Stevenson
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Office Hours: Tuesday, 2:00 p.m. – 5:45 p.m.,
Thursday, 2:00 p.m. – 2:45 p.m. and by appointment
Class Days/Time: Thursdays 3:00 – 5:45 plus additional times for community presentations
TBA according to student schedule
Classroom: MacQuarrie Hall 520
Prerequisites: Upper division standing and permission of instructor

Course website:

Course materials including the syllabus, readings, class notes, resources and other materials are found on the course website Desire2Learn, at <http://sjsu.desire2learn.com/>.

Course Description: JS 111 – Special Topics: Record Clearance Project Practical Legal Skills

Record Clearance Project (RCP) Practical Legal Skills. Students taking Record Clearance Project Practical Legal Skills gain the legal skills necessary to help eligible individuals prepare petitions to clear their criminal convictions. These skills are applicable in other legal settings as well. In coming semesters, completion of the RCP Practical Legal Skills course will be a prerequisite to the RCP Practice course where students directly assist clients.

In RCP Practical Legal Skills, students learn to interview clients, apply the law regarding dismissal of criminal convictions, understand legal ethical and professional obligations, read criminal histories (“rap sheets”), draft legal petitions seeking to dismiss criminal convictions, perform basic legal research, make community education presentations, and related tasks. Students attend a court hearing on record clearance petitions (scheduled during class time) and conduct several client interviews at a Speed Screening event.

Course Goals and Student Learning Objectives

After satisfactorily completing RCP Practical Legal Skills, students are ready to assist their own clients in the RCP (under attorney supervision), and have background skills applicable in other situations that involve assisting clients in a legal setting. By the end of the course, in addition to skills, students should have gained experience and insight regarding the criminal justice system, those involved in it, and some of the ways in which processes might be improved.

Specifically, students gain understanding of attorney-client interactions in interviewing and counseling, the ethical and professional obligations involved in legal work, how legal paperwork is prepared for court, how to look up the law, how to apply facts to the law, how advocacy is involved in presenting material, how the adversary system functions (in part), how clients are prepared for a court appearance, how a judge deliberates, how the parties – including judge, attorneys, probation department, court clerks and sheriff's deputy (bailiff) – perform their roles in a court hearing that we observe, how to effectively present legal information to the community, and how and why this all matters.

Required Texts/Readings

Textbook None

Other Readings Training materials and required readings are posted on the course website. Reading assignments for each day are to be completed before coming to class.

Additional readings are assigned beyond those in the syllabus as the semester progresses. Additionally, I will post new readings from current events on the course website.

Classroom Protocol

Timeliness and communication. Check the course website at least twice a week for updates. Check your email daily and respond promptly to notes to you from teaching assistants and me.

Please fill out the Student contact information in the Dropbox folder at the class website on Desire2Learn and update any changes in information over the semester. This is important so that I can get in touch with you regarding any client-related matters that come up during Speed Screening.

Class and assignments. Attend all classes; complete reading assignments on time; participate in training, including taking and passing quizzes on each class topic to indicate mastery of content; maintain professional integrity by observing all ethical and legal obligations; present information to a community group regarding record clearances; participate in Speed Screening interviewing event with clients; represent the Record Clearance Project and SJSU professionally in all interactions; and turn in all written assignments as indicated on the Tentative Course Calendar, following.

Scheduling. Some RCP events occur outside our class meeting time on Thursdays from 3:00 – 5:45. These include Tuesday evening and Thursday morning court hearings on RCP petitions and a mock hearing (tentatively at Santa Clara Law School) to prepare clients for the hearings. These events appear on the Tentative Course Calendar, for your information. Attendance at

events scheduled outside our class time is not required but is strongly encouraged, and may provide helpful subjects for your paper.

Other events will be scheduled outside class time, according to your availability, such as community education presentations and observation of RCP client interviews.

Please note that the syllabus is subject to change since I have not received confirmation from everyone regarding the court dates. As soon as I know of a change in the syllabus, I will send an email to the class list, put an announcement on the website and post a revision of the syllabus with the change. (The date of the syllabus is in the upper left corner of the syllabus.)

Problems. Please check with me if you experience or anticipate any problems or issues coming up with regard to the class. Since problems are best dealt with early on, getting in touch sooner rather than later is best.

Dropping and Adding

Students are responsible for understanding the policies and procedures about add/drops, academic renewal, etc. Information on add/drops is at <http://info.sjsu.edu/web-dbggen/narr/soc-fall/rec-298.html>. Information about late drops is at <http://www.sjsu.edu/sac/advising/latedrops/policy/>. Students need to be aware of the current deadlines and penalties for adding and dropping classes.

Assignments and Grading Policy

Reading assignments. There is no assigned textbook for the class. However, substantial information and reference materials are posted on the class website. You are responsible for mastering the content of the posted reading material, and for being familiar with the contents of the reference information. The readings are posted by week; complete the readings before class for the week that it is posted.

Exercises. We have frequent in-class exercises, such as mock interviews or practice community education presentations, to assure that students are keeping up with learning content. Most require reading the material to be covered, as well as preparing in some way for the exercise. Please do both reading and preparation thoroughly.

Quizzes. There are two types: *website quizzes* and *in-class quizzes*.

Website quizzes are by topic. They are short, frequent, timed open-book exercises to show you can master specific topics. They must be completed by the date listed on the syllabus.

In-class quizzes will cover multiple topics, and also will be timed and open book.

Students are not permitted to participate in the Speed Screening event if they have not satisfactorily completed the quizzes and other coursework.

Speed Screening is a session of individual interviews with clients during which students, under attorney supervision, review clients' rap sheets for eligibility to have their convictions dismissed. It also is a means of screening clients for representation in the RCP. Practical Legal Skills

students who have satisfactorily completed other coursework participate in these interviews, as part of an interviewing team that includes an experienced RCP student.

Written assignments. There are three written assignments for class: a *hearing paper*, a mock *petition*, and a *Speed Screening client profile*.

The *hearing paper* is a short reflective paper following observation of the court hearing on March 24.

Preparing a *mock petition* for record clearance is a two-part assignment. The first part requires preparing the “shell” of a petition, giving notice to the District Attorney and Probation Department of the petition, noting the charges involved, outlining the related law, and requesting relief. The second part requires preparing the “declaration” of the petition, the client’s statement regarding his/her case. Further detail regarding both papers appears on the website.

The *Speed Screening client profile* is a short description of someone you interviewed at Speed Screening. This can be in the form of a *draft declaration* if you heard relevant information, or simply a review, relating how the person corresponds to the profile of other RCP participants we have seen or read about.

Community education presentation. Each student will be part of a team that presents information to community groups regarding how people can dismiss eligible convictions, and the services of the SJSU RCP. These are scheduled according to community group meeting needs and student availability.

Participation. Students are expected to participate in class sessions. Varied and broad participation enriches our discussions and helps me assess students’ understanding. Thus student participation is encouraged and points are awarded for thoughtful class participation.

Because it is hard to recall, please advise me right away if I have not given you class participation points that you earned. I will not award participation points for a class after two weeks passes. Attendance per se is not used as a criterion for grading, according to Academic Policy F-69-24.

Grading is based on accumulated points earned from work on the above. Relative weight of each component appears in the following table:

Total points: 220 points total. For exceptional quality, I may add one or two points to totals for regular activities or assignments.

Point totals are calculated and posted on the course website. Please check each week to assure that the points posted accurately reflect the assignments you have turned in. The totals are calculated automatically, but please double-check the accuracy of the calculations. It is your responsibility to assure that you are meeting class requirements.

Grades are calculated based on the percentage of points earned, superimposed on a rough curve. There is no set percent of grades in each category (thus not a strict curve). As a starting point, those who earn 90 percent and above (198 + points) likely will get an A, 80 – 89 percent (197 – 176) likely will get a B, 70 – 79 percent (175 – 154) likely a C, 60 – 69 percent (153 – 132)

likely a D and those below 60 percent (131) will likely get an F. However, this range is a guide against which I will adjust points based on how the class does as a whole at the end of the class. You can see how your point totals compare to the class totals by clicking on the “statistics” icon on Total in the Grades portion of the website.

Grading Category	#	pts for each	total pts	extra credit points	% of grade
Class participation	14	1	14		6
In-class exercise preparation and participation	7	3	21		10
Website quizzes and exercises	6	10	60		27
In-class quizzes	2	20	40		18
Written assignment: hearing paper	1	10	10		5
Written assignments: petition "shell"	1	10	10		5
Written assignments: petition declaration	1	15	15		7
Written assignments: Speed Screening client profile	1	10	10		5
Speed screening participation, preparation and completion of forms	1	20	20		9
Community education presentation: preparation and presentation	1	20	20		9
Total			220		100

University Policies

Academic Integrity

The University’s Academic Integrity Policy is available at http://www.sa.sjsu.edu/download/judicial_affairs/Academic_Integrity_Policy_S07-2.pdf. Your own commitment to learning, as evidenced by your enrollment at San José State University and the University’s integrity policy, requires you to be honest in all your academic course work. Faculty members are required to report all infractions to the office of Student Conduct and Ethical Development; I comply with this obligation. The website for Student Conduct and Ethical Development is [at http://www.sa.sjsu.edu/judicial_affairs/index.html](http://www.sa.sjsu.edu/judicial_affairs/index.html).

Instances of academic dishonesty will not be tolerated. Cheating on exams or plagiarism (presenting the work of another as your own, or the use of another person’s ideas without giving proper credit) will result in a failing grade and sanctions by the University. For this class, all assignments are to be completed by the individual student unless otherwise specified. If you would like to include in your assignment any material you have submitted, or plan to submit for another class, please note that SJSU’s Academic Policy F06-1 requires approval of instructors.

Violations of academic integrity rules may affect your graduation and career plans. Please scrupulously observe all academic integrity requirements.

Campus Policy in Compliance with the American Disabilities Act

If you need course adaptations or accommodations because of a disability, or if you need to make special arrangements in case the building must be evacuated, please make an appointment with me as soon as possible, or see me during office hours. Presidential Directive 97-03 requires that students with disabilities requesting accommodations must register with the DRC (Disability Resource Center) to establish a record of their disability.

Student Technology Resources

The University would like you to know that computer labs for student use are available in the Academic Success Center located on the 1st floor of Clark Hall and on the 2nd floor of the Student Union. Additional computer labs may be available in your department/college. Computers are also available in the Martin Luther King Library. A wide variety of audio-visual equipment is available for student checkout from Media Services located in IRC 112. These items include digital and VHS camcorders, VHS and Beta video players, 16 mm, slide, overhead, DVD, CD, and audiotape players, sound systems, wireless microphones, projection screens and monitors.

Learning Assistance Resource Center

The university would like you to know that the Learning Assistance Resource Center (LARC) is located in Room 600 in the Student Services Center. It is designed to assist students in the development of their full academic potential and to motivate them to become self-directed learners. The center provides support services, such as skills assessment, individual or group tutorials, subject advising, learning assistance, summer academic preparation and basic skills development. The LARC website is located at <http://www.sjsu.edu/larc/>.

SJSU Writing Center

The SJSU Writing Center is located in Room 126 in Clark Hall. It is staffed by professional instructors and upper-division or graduate-level writing specialists from each of the seven SJSU colleges. Our writing specialists have met a rigorous GPA requirement, and they are well trained to assist all students at all levels within all disciplines to become better writers. The Writing Center website is <http://www.sjsu.edu/writingcenter/about/staff/>.

Peer Mentor Center

The Peer Mentor Center is located on the 1st floor of Clark Hall in the Academic Success Center. The Peer Mentor Center is staffed with Peer Mentors who excel in helping students manage university life, tackling problems that range from academic challenges to interpersonal struggles. On the road to graduation, Peer Mentors are navigators, offering “roadside assistance” to peers who feel a bit lost or simply need help mapping out the locations of campus resources. Peer Mentor services are free and available on a drop –in basis, no reservation required. The Peer Mentor Center website is <http://www.sjsu.edu/muse/peermentor/>.

General Education Guidelines

Students should be aware of SJSU General Education Guidelines, listed at <http://www.sjsu.edu/senate/S09-2.htm> . Courses to meet Areas R, S, and V of SJSU Studies must be taken from three different departments, or distinct academic units. (As outlined in the General Education Guidelines, R, S and V courses are in the following categories: Earth and Environment (R), Self, Society & Equality in the U.S. (S), and Culture, Civilization & Global Understanding (V).)