

San José State University
College of Health and Human Sciences / Justice Studies Department

Justice Studies 141, Spring 2018
Record Clearance Project – Representation

Instructors:	Edith Kinney (JS 141)
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Office hours:	Thu 10:40 AM - 12:40 PM an by appointment
Class Days /Time:	Tuesdays & Thursdays 1:30 p.m. – 2:45 p.m.
Classroom:	MacQuarrie Hall 526
Prerequisites:	JS 140, Upper Division standing, 100W
Competency area:	F – Experiential learning

Course Description

Record Clearance Project - Representation (JS 141) teaches students to assist clients in preparing and filing petitions to clear criminal convictions in court, and related tasks. Successful completion of JS 141 meets the Justice Studies Department internship requirement.

JS 141 is a service-learning course in that students (under attorney supervision) provide valuable legal information and services related to expungement law and procedure. Following their community service, students reflect on their experiences as a group and in writing.

Course Goals

JS 141 builds on the core skills learned in JS 140 (Record Clearance Project), including legal interviewing, counseling, ethics, reading rap sheets, and legal research and writing. After successful completion of JS 140, RCP advanced students in JS 141 gain and apply the legal skills necessary to help eligible individuals prepare petitions to clear their criminal convictions. Students also perform related work to assist RCP clients and the community.

RCP advanced students 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 (“expunge”) eligible criminal convictions, help prepare clients for their hearing, attend court hearings on record clearance petitions, and conduct client interviews at Speed Screening events. Students also perform necessary tasks related to their case-handling work, such as getting police reports or examining client records at the courthouse.

In case reviews, students discuss issues they have encountered in case-handling and discuss aspects of RCP practice. They help train JS 140 students by assisting in JS 140 class, planning

and running workshops and mentoring new advocates. RCP advanced students also help lead de-briefing sessions on Speed Screenings and court hearings in JS 140 class sessions.

Course Learning Outcomes

Students who successfully complete JS 141 will gain skills, experience and insight regarding the justice system, those involved in it, and some of the ways in which processes might be improved. They will have seen directly how, through their involvement and the application of their knowledge and training, they are able to use the law to assist others in often life-changing ways.

The assignments and activities in JS 141 aim to assess a variety of course learning outcomes (CLOs) regarding legal research, writing, interviewing, and community engagement. Upon successful completion of this course, students will be able to:

1. Practice and develop legal interviewing and counseling skills involved in legal work.
2. Explain and apply ethical and professional obligations involved in legal work to real clients' situations.
3. Apply legal research and writing skills to prepare legal paperwork for court, apply facts to the law, and use advocacy in presenting material to the court.
4. Explain how the adversary system functions (in part), how to prepare clients for a court appearance, how a judge deliberates, and how the parties – including judge, attorneys, probation department, court clerks and sheriff's deputy (bailiff) – perform their roles in a court hearing.
5. Develop and demonstrate knowledge of basic legal skills learned in JS 140 (prerequisite course) by helping teach basic skills to others.

Required Texts/Readings

Textbook

There is no textbook; the course reader from JS 140 will remain useful. Updated documents will be posted on the course website.

Other Readings

Training materials and other required readings are posted on the course Canvas website.

Course materials including the syllabus, readings, class notes, sample documents, resources and other materials are found on the course website on SJSU's Canvas.

Sign up for The Marshall Project's "Opening Statement" email overview of criminal justice news here <https://www.themarshallproject.org/>

Course Requirements and Assignments

To receive credit for JS 141 and meet the Justice Studies internship requirements, students must complete a minimum of 120 hours of RCP-related work per class and complete the internship research paper as outlined on the JS internship website.

Per University policy, “[s]uccess in this course is based on the expectation that students will spend, for each unit of credit, a minimum of 45 hours over the length of the course (normally three hours per unit per week) for instruction, preparation/studying, or course related activities, including but not limited to internships, labs, and clinical practica. Other course structures will have equivalent workload expectations as described in the syllabus.”

JS 141 Assignments

Weekly Time Sheets.

Complete / Incomplete

Timesheets are due weekly. Use the Timesheet form on the course Canvas page. Submit timesheets to Anahi Beltran at anahi.beltran@sjsu.edu every Sunday night detailing your hours for the previous week. See detailed instructions regarding “Time-keeping” in the Course Activity and Classroom Protocol section, below.

Case reviews.

Pass / Fail

In several class sessions, we will discuss issues that come up in our cases at case review. This could relate to the client relationship, or how to deal with a difficult issue, a legal issue, or any interesting, challenging or other problem of potential educational benefit and interest to others.

Papers.

Pass / Fail

There are two papers required, both of which are graded on a Pass / Fail basis.

1. Internship Research Paper:

Students must complete a 5-7 page [1250-1750 word count] paper in proper APA format that describes and analyzes their experience with the internship organization, department, or agency. The paper must be in 12-point font, double spaced, Times New Roman, with 1-inch margins. APA guidelines can be found in the American Psychological Association, 6th Edition reference book available at any bookstore. A quick style guide may be found at the OWL Purdue Online Writing Lab. Your Internship Research Paper should meet the requirements for the JS 181 paper described in the JS 181 internship syllabus posted on the Justice Studies Department website at <http://www.sjsu.edu/justicestudies/for-students/student-resources/forms/JS%20181%20SYLLABUS%20FALL%202014%20v2.pdf>

Even if you are not a Justice Studies major, please complete the research paper according to these guidelines. The due date is on the course schedule. Turn the paper in via Canvas.

2. Case-Handling Paper:

The second paper is a case-handling paper of at least four pages. This paper should discuss some aspect(s) of your experience over the semester working with clients. Among issues that you might want to analyze are: How did your experiences with different clients compare? What went well in your work with your clients? What could be improved? How well did your training prepare you for your case work? How did your work in preparing your client’s(s’) case(s) affect your client’s(s’) experience in court? What aspects of working with people in custody or recently released were particularly interesting or surprising? How has this experience affected your educational and/or employment plans? See the course schedule for the due date.

SJS4 Registration.

Because this course is a service learning course, you are required to place yourself in the Spartans 4 Service (SJS4) no later than mid-term. The SJS4 database facilitates student placement as approved learning sites and collects data needed to assess SJSU's impact on our community, and the impact of these activities on student learning, and ultimately on retention and graduation rates. You are to log your hours on the system at the end of the semester or no later than December 20, 2018. This tutorial shows you how to place yourself:

https://docs.google.com/presentation/d/1tXhR3cLU2H7g2aNuYkVDfrgkdymOeLSsZ5Ui4w2cng/pub?start=false&loop=false&delayms=3000&slide=id.g119583dea1_0_0

If you have any questions regarding the SJS4 site, please email Anahi Beltran, Administrative Coordinator, at anahi.beltran@sjsu.edu.

Final Examination or Evaluation

There is no final examination for JS 141. Students in JS 141 will complete a final activity and evaluation.

Grading Information

All assignments for JS 141 are assessed on a Pass / Fail basis. Students must successfully complete 120-hours documented on weekly timesheets; participate in case reviews; and complete two research papers to receive a grade of "Credit" for JS 141.

Students unable to complete course assignments as instructed or those who fail to abide by the classroom protocol described below will receive a grade of "No Credit" for the course.

Course Activity and Classroom Protocol

Timeliness and communication. Because real people with real legal cases are involved, it is crucial that students meet deadlines and keep in close touch with their case-handling partners and teacher. Because the court has filing deadlines to have our petitions heard, our work is compressed into the weeks before the filing deadline. **It is critical for students to keep up with the schedule** so that we are able to file quality, accurate and compelling petitions on time. Thus it may be very hard to make up any work missed, with the consequence being no credit for the course.

Check the course website frequently for updates. **Check your @sjsu.edu email daily and respond promptly using your @sjsu.edu email account.** Please provide a **phone number** where we can reach you regarding case-handling. Please advise the Instructor and RCP staff if you will be out of town during the semester.

Time-keeping. Timesheets are due weekly. Turn them in to Anahi Beltran at anahi.beltran@sjsu.edu every Sunday night detailing your hours for the previous week. All hours spent on RCP work count toward the hourly requirement, except hours coming to and from

regularly scheduled classes. Note that students enrolled in both JS 141 and 142 must meet requirements for 6-unit internships, i.e., 240 hours and a 7-8 page research paper with citations.

Record your time in minutes on the timesheet provided on the class website. Provide sufficient detail so that how you spend your time is clear. For example, list whether you spent time interviewing your client, drafting the declaration, running a workshop, etc. Be aware that most of the work for the semester is completed before the last month, and gauge your progress accordingly.

Providing timely, accurate timesheets is a course requirement. Keep track of your totals so that you can make sure to complete the hour requirement during the semester. There is ALWAYS more work to do – just ask for it!

You are welcome to attend any of the JS 140 sessions even if you are not scheduled to participate, since as you know from JS 140, various perspectives are welcome and helpful. If you attend, please contribute, even without being called on.

Professionalism and direct client assistance. Professionalism is required in all RCP work. RCP advanced students in JS 141 assisting clients on expungement petitions work in teams to prepare petitions to clear their criminal convictions. Students are responsible for interviewing their clients, drafting the petitions for their clients, preparing their clients for their hearings, and performing related tasks.

Before you meet your client, give your supervisor at least two days to review documents that you intend to discuss with your client. By giving us sufficient time to review the documents, we can provide the feedback, raise the questions and identify the issues that you need to address in your client meeting. This is efficient and saves everyone time.

Do not give your clients any documents you prepare until your supervising attorney has reviewed and approved them. You can and should go over draft language from the Declaration with your clients, but do not give them a copy to review without attorney approval in a document we mark as “near final.” This usually happens toward the end of the client meeting process.

Both students of the two-student team should be present at the interviews, including substantive phone interviews. This is so that more than one person has knowledge of the client’s case. Be sure if you meet with a client off-campus, that it is a private setting (to preserve confidentiality) in a public place (e.g., *not* at the client’s home). You can reserve a room at the ML King Library. Refer to the “Helping Clients Clear Criminal Records” and other course materials for further information regarding client meetings and professionalism.

Use **only** your sjsu.edu email account for **every** communication in this class. This is because of internal email protections for transmitting confidential information. You cannot forward your sjsu.edu email to another email address.

Based on your involvement in JS 140, you are aware of the professionalism and other requirements for RCP court sessions and Speed Screenings.

Professional standards. Advanced students are expected to perform to the highest professional standards, thereby maintaining the reputation of the SJSU RCP for outstanding professional work. To do so, students need to attend all regularly scheduled classes; complete reading assignments; participate in training; prepare court papers to request that an individual’s criminal

conviction be dismissed in compliance with ethical and legal rules; assist in providing workshop sessions for extra practice for JS 140 students; present information to a community group regarding record clearances if needed; work effectively with RCP mentoring staff (if 142 student), represent the Record Clearance Project and SJSU professionally in all interactions; and write two final papers.

If you do not consistently meet the serious and important course requirements that assure the ethical, legal competence and professionalism, you will be asked to leave the class. If this happens, you will not receive credit for any work you may have performed up to that point. Since this may happen at any time in the semester, it is particularly imperative in this internship that students meet requirements and understand the heightened risk of not receiving credit for work done that is involved. Please consider this seriously, particularly if you intend to use this class to meet an upcoming graduation requirement.

By enrolling, you understand and accept the risk that you may not receive credit if you do not meet requirements of substantive knowledge, ethics and professionalism for JS 141. Failure to read this information does not constitute an excuse for lack of awareness of this policy.

Scheduling. Some RCP activities such as workshops, Speed Screenings and court are scheduled beyond regular class hours. Students are asked to endeavor to attend the extra hours. We will try to arrange sessions according to student schedules (in coordination with teachers' schedules to enable supervision); your flexibility is appreciated.

Please check with your supervisor if you experience or anticipate any problems or issues regarding class. Since problems are best dealt with early on, getting in touch sooner rather than later is best.

Do not start a case that you cannot finish if it means that a client will need to be re-interviewed. We cannot put a client through a second, duplicative interview just because a student completed the required hours. Simply working the required hours on RCP cases does not mean that you have satisfied your obligations for this class. For ongoing cases, we will determine a point at which you can turn over the case to the next student team without unduly inconveniencing our clients. If a case must be transferred, the students initially assisting the client must effectively transfer all information regarding the case to RCP staff.

University Policies

Per University Policy S16-9, university-wide policy information relevant to all courses, such as academic integrity, accommodations, etc. will be available on Office of Graduate and Undergraduate Programs' [Syllabus Information web page](http://www.sjsu.edu/gup/syllabusinfo/) at <http://www.sjsu.edu/gup/syllabusinfo/> Make sure to review these university policies and resources.

Justice Studies Department Reading and Writing philosophy

The Department of Justice Studies is committed to scholarly excellence. Therefore, the Department promotes academic, critical, and creative engagement with language (i.e., reading

and writing) throughout its curriculum. A sustained and intensive exploration of language prepares students to think critically and to act meaningfully in interrelated areas of their lives—personal, professional, economic, social, political, ethical, and cultural. Graduates of the Department of Justice Studies leave San José State University prepared to enter a range of careers and for advanced study in a variety of fields; they are prepared to more effectively identify and ameliorate injustice in their personal, professional and civic lives. Indeed, the impact of literacy is evident not only within the span of a specific course, semester, or academic program but also over the span of a lifetime.