

MU INNOCENCE CLINIC (Law 5632)
Spring 2024 Syllabus
Tuesday/Thursday 11:40 a.m.-12:55 p.m. in Room 107

Professor Chelseá R. Mitchell
Email: mitchellche@umsystem.edu
Office: 335 Hulston Hall

The MU Innocence Clinic is a partnership with the Midwest Innocence Project (MIP). MIP's mission is to educate about, advocate for, and obtain and support the exoneration and release of wrongfully convicted people in Arkansas, Iowa, Kansas, Missouri, and Nebraska. Clinic participants will work alongside MIP attorneys and staff to screen, investigate, and litigate innocence cases during the semester.

The classroom component of the clinic will cover basic principles applicable to all criminal case investigation and litigation, including case analysis, theory development, discovery review, investigation planning, interviewing techniques, records collection, legal research, client communication, and litigation strategy. Students will work in teams on assigned cases to review, investigate, research, and draft motions in support of a client's claim of innocence, under the supervision of the professor. Wrongful Convictions is a prerequisite for enrolling in the clinic.

Learning objectives

Students will:

- Analyze case materials (transcripts, police reports, legal files, witness interviews, etc.) to evaluate a client's claim of innocence.
- Be able to articulate the possible claims for relief for a client with a claim of innocence.
- Learn how to work collaboratively with colleagues on cases.
- Develop oral and written communication skills, problem-solving, and critical thinking skills through brainstorming sessions.
- Practice a variety of legal advocacy skills in a supportive environment with sufficient feedback to prepare for entry into the legal profession.
- Conduct themselves ethically, professionally, and appropriately in keeping with the Rules of Professional Conduct and standards of practice.

Course requirements and expectations

- Work a minimum of 150 hours throughout the course of the semester (see below).
- Provide prior written notice for any class absences and comply with the law school and clinic attendance policies.
- Prepare for and participate in each class.
- Meet regularly with supervising attorney to discuss assigned case(s) and maintain complete and accurate records regarding work performed on case(s). Weekly time logs and status reports must be submitted prior to each supervision meeting.
- Complete case-specific tasks as assigned.
- As a participant in the MU Innocence Clinic, you are a colleague to your professor and to fellow participants. You are also an officer of the court and member of the Bar. You are expected to: treat our MIP applicants and clients, one another, and all individuals with whom we interact with dignity and respect; eagerly learn and take on new challenges; complete work

on time and professionally; turn in your best work the first time; and support the work of the team.

- Additional information about specific requirements and expectations is available in the Clinic Manual and protocols.

Clinic Format

The clinic is scheduled to meet in-person on Tuesday and Thursday. Tuesdays will be used for the instructional classroom component. The Thursday class period will primarily be used for team meetings, case updates, and consulting with me on individual cases. Students will prepare for the classroom component of the clinic by completing any assignments before class and demonstrating familiarity with the subject matter during class discussion. Students will participate in team meetings and case discussions through oral presentations and active discussion about other students' cases.

Required Hours

The Innocence Clinic is a 4-credit course. In compliance with ABA Standard 310, students must spend at least 42.5 hours per credit hour (170 hours total) on clinic-related work over the course of the semester to receive full credit. Students are required to work a minimum of 150 hours on clinic matters throughout the semester, in addition to the time spent preparing for and in class on Tuesdays. Thursday team meetings and consultations will count toward the 150 hours. On average, students should log 10-12 hours per week. The required hours are a weekly commitment; students may not wait until the end of the semester to complete a substantial number of hours.

Communication & Office Hours

Outside of class, the best way to reach me is by email or Slack. I will be on campus on Tuesdays and Thursdays and students are welcome to stop by my office. I am also available Monday, Wednesday, and Friday by appointment.

Required Materials & Course Platforms

There is no required textbook for the clinic. Various reading materials, cases, and videos may be assigned throughout the semester. Students are responsible for accessing assigned cases independently. Other assigned readings, videos, reflection prompts, and the Clinic Manual will be provided through the course's Canvas site, Dropbox, or by email. See course anticipated course schedule and assigned reading for details.

MIP uses Dropbox for electronic client files and all clinic work, Slack for routine communication, and Clio for case management and time logging. Students need a computer to access these programs.

A NOTE ABOUT CANVAS: While some initial materials will be provided on Canvas, Canvas is not our primary platform. Most clinic assignment will be distributed through Dropbox and all work will be submitted through Dropbox unless otherwise specified. Participants should not rely on Canvas for regular communication or due dates.

Grading

The Innocence Clinic is graded on the standard numerical basis. Participants must complete 150 hours to receive a passing grade. Final clinic grades will be based on the entirety of your performance during the semester. Grades will be assessed as follows:

Clinic Work & Assignments – 60%

Including: case work for clients, clinic administrative/operational tasks, simulations, and assigned exercises.

Case Rounds –10%

Quality of preparation, content, and delivery of regular presentation of your assigned cases. Thoughtful engagement and participation in teammate's presentations.

Participation – 15%

Participation in class, effort, attitude, attendance, willingness to work, leadership, initiative, task and time management, teamwork.

Weekly Check-ins & Reflections –15%

Thoughtful and thorough completion of weekly check-in forms, insight demonstrated in reflections and 1:1s with professor.

Participants can expect to lose points for tardiness and late assignment submissions.

Attendance

According to American Bar Association accreditation guidelines, class attendance is required and expected of all students. It is critical that students attend class on Tuesdays and all assigned team meetings. Absent compelling circumstances, students who miss more than 3 classes and/or team meetings will be dropped from the clinic.

Decreasing the risk of COVID-19

If you have tested positive for COVID-19 or have been identified as someone who needs to quarantine, do not attend class in person until the mandated period for isolation or quarantine has passed. Additionally, if you are experiencing any COVID-related symptoms, or are otherwise feeling unwell, do not attend in-person classes and contact your health care provider and/or student health immediately.

Accommodation and Pivot Plan

While this class is scheduled to meet on a face-to-face basis, any class period may move to a synchronous remote format as warranted by data about COVID rates within the University and Columbia communities or if I must quarantine. Students who cannot attend our face-to-face class due to illness or medical reasons will be accommodated to facilitate their participation in the course.

If you are unable to attend a scheduled class in person due to illness or medical reasons, you should plan to participate as follows:

- If the scheduled class is already scheduled as a synchronous Zoom class (because of COVID-related reasons), you should plan to participate live in synchronous fashion via Zoom.
- If class is meeting in-person and you notify me in advance of your absence, you may join the class by Zoom.
- If health reasons prevent you from joining the scheduled class by Zoom, I will work with you to provide access to lecture materials and alternative participation assessment.

If pandemic-related circumstances require class sessions to be moved fully online, I intend for class to shift to synchronous Zoom sessions.

Notice to Students with Disabilities

If you need accommodation for this course due to a disability, have emergency medical information to share, or need special arrangements in case the building must be evacuated, please let Registrar

Denise Boessen or Associate Dean Ben Trachtenberg know as soon as possible.

If disability related accommodations are necessary (for example, a note taker, extended time on exams, captioning), please register with the Disability Center (<http://disabilitycenter.missouri.edu/>), S5 Memorial Union, 573-882-4696, and then notify Denise Boessen/Dean Trachtenberg of your eligibility for reasonable accommodations. For other MU resources for students with disabilities, click on “Disability Resources” on the MU homepage.

Academic Integrity

Academic integrity is fundamental to the activities and principles of the School of Law. All members of the law school community must be confident that each person’s work has been responsibly and honorably acquired, developed, and presented. Any effort to gain an advantage not given to all students is dishonest whether the effort is successful or not. The law school community regards breaches of the School of Law’s Honor Code as extremely serious matters. Sanctions for such a breach may include academic sanctions from me, including failing the course for any violation, to disciplinary sanctions ranging from probation to expulsion.

While students may collaborate to discuss cases and course materials outside of class, all submitted assignments must be your individual work product. If in doubt about plagiarism, paraphrasing, quoting, collaboration, or any other form of cheating, please contact me.

Recordings

University of Missouri System Executive Order No. 38 lays out principles regarding the sanctity of classroom discussions at the university. The policy is described fully in section 200.015 of the Collected Rules and Regulations. In this class, students may not make audio or video recordings of course activity, except students permitted to record as an accommodation under section 240.040 of the Collected Rules. All other students who record and/or distribute audio or video recordings of class activity are subject to discipline in accordance with provisions of section 200.020 of the Collected Rules and Regulations of the University of Missouri pertaining to student conduct matters.

Those students who are permitted to record are not permitted to redistribute audio or video recordings of statements or comments from the course to individuals who are not students in the course without the express permission of the faculty member and of any students who are recorded. Students found to have violated this policy are subject to discipline in accordance with provisions of section 200.020 of the Collected Rules and Regulations of the University of Missouri pertaining to student conduct matters.

Intellectual Pluralism

The University community welcomes intellectual diversity and respects student rights. Students who have questions or concerns regarding the atmosphere in this class (including respect for diverse opinions) may contact the departmental chair or divisional director; the director of the Office of Students Rights and Responsibilities; the MU Equity Office, or equity@missouri.edu.

All students will have the opportunity to submit an anonymous evaluation of the instructor(s) at the end of the course.