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

Justice Studies 142 – Fall 2022
Record Clearance Project – Representation and Community Engagement

Instructor:	Margaret (Peggy) Stevenson
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Office hours:	Tu / Thu 9:00 – 10:00 AM & by arrangement
Class Days /Time:	Tuesdays & Thursdays 3:00 p.m. – 4:45 p.m.
Classroom:	TBD
Prerequisites:	JS 140, Upper Division standing, Permission of the instructor
Competency area:	E – Experiential learning

Catalog Description

Note: Fall 2022 will be taught combining the content of both 141 and 142.

Record Clearance Project - Representation (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.

Record Clearance Project – Community Engagement (142) teaches students the skills in 141, as well as focusing on ways to effectively engage community members in clearing their records and moving forward with their lives following custody.

These are service-learning courses 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 Description

Record Clearance Project (RCP) Project – Representation (141) and Community Engagement (142).

Students successfully completing JS 141 and JS 142 ("RCP advanced students") meet the Justice Studies Department's internship requirement for graduation.

RCP advanced students 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.

Students enrolled in JS 142 can spend relatively more time working with the community, frequently focused on assisting people in custody.

> During Fall 2022: Students can choose to participate in a pilot digital literacy program assisting RCP mentoring program clients as part of their internship. Students, supervised by RCP staff, will work individually with individuals who have recently left custody to help teach them computer and interviewing skills needed when searching and applying

for jobs.

Students interested in this opportunity should contact Omar Arauza, omar.arauza@sjsu.edu for more information, with a cc to Peggy.

All 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. Community Engagement students also work with people who have criminal convictions and / or their family members in assisting people as they move from custody to expungement. In case reviews, students discuss issues they have encountered in case-handling and discuss aspects of RCP practice.

Advanced students 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 debriefing sessions regarding Speed Screenings and court hearings in JS 140 class sessions.

Course Goals and Learning Outcomes

By the end of the course, students should have gained 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.

Specifically, students have the following course learning outcomes (CLOs), as measured by the assignments noted (assignments described more fully in section below):

1. Practice and develop legal interviewing and counseling skills involved in legal work.
2. Apply ethical and professional obligations involved in legal work to real clients' situations.
3. Prepare legal paperwork for court, apply facts to the law, and use advocacy in presenting material to the court.
4. Learn how the adversary system functions (in part), how to prepare clients 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.
5. Develop basic legal skills learned in a 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. Advanced students will be added to the JS 140 website for access to materials there.

Other Readings. Training materials and other required readings are posted on the course

Canvas website.

Course 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.

Course Requirements and Assignments

To receive credit for JS 142 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. See Papers section below.

Timeliness and communication. Because real people with real legal cases are involved, it is crucial that students 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.

> When delay is based on a student not keeping up with obligations, it can be hard to make up any work missed. When delay is based on student lack of responsiveness without good cause, the student will be asked to leave the class. This may result in the student not getting credit for the course, depending on circumstances. Relevant circumstances will include harm that the student's delay caused the client and the additional burden to the course instructor, occasioned by the student's lack of response.

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

Time-keeping. Timesheets are due weekly. Turn them in to Cesar Gonzalez at cesar.a.gonzalez@sjsu.edu 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.

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, however, you are expected to contribute without being called on.

Professionalism and direct client assistance. Professionalism is required in all RCP work. Additionally, requirements of any organizations where we operate (e.g., jail, the Reentry Resource Center) must be strictly observed.

RCP advanced students 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, saves everyone time and improves your educational experience.
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> 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.
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> 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.

Case reviews. 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. There are two papers required. One paper is the internship research paper. This 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.

The second paper is a case-handling paper of at least four pages. It 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 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 May 22, 2018. This tutorial shows you how to place yourself: https://docs.google.com/presentation/d/1tXhR3cLUp2H7g2aNuYkVDfrgkdymOeLSsZ5Ui4w2cng/pub?start=false&loop=false&delayms=3000&slide=id.g119583dea1_0_0

If you have any questions regarding the SJS4 site, please email RCP Project Assistant Cesar Gonzalez at cesar.a.gonzalez@sjsu.edu.

Grading Policy

Grading is based on credit / no credit basis. Successful and timely completion of the Course Requirements and Assignments outlined in this Syllabus is required to receive credit for the course.

Because this course involves professional work on behalf of real people, it is possible that if you are asked to leave for breaching professional standards and/or failure to meet course obligations, you will not receive credit for the class. See note below regarding the advisory to not start a case that you cannot commit to finishing (absent client lack of response.)

"Breach of professional standards" can include failure to complete assigned clients' cases before the end of the semester. Thus students **may receive an incomplete** unless their inability to complete the cases is beyond their control (for example, delay resulting from client illness or documented lack of response; RCP inability to get needed records; faculty supervision delay of more than one week, and comparable circumstances.)

Classroom Protocol

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; 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. Failure to meet course requirements previously has resulted in students not receiving credit and consequently not graduating as anticipated.

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. 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

Please review the university-wide policy information relevant to all courses, such as academic integrity, accommodations, dropping / adding and other important information and resources on the Office of Graduate and Undergraduate Programs (GUP)'s Syllabus Information web page at http://www.sjsu.edu/gup/syllabusinfo/ .

Justice Studies reading and writing philosophy

It is departmental policy to include the following paragraph in every JS course syllabus:
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.