



LAW 5253 | Criminal Justice Clinic II

Section: 20511 | Face-to-Face

Prerequisite(s): None. The Criminal Justice Clinic II is a hybrid program. It consists of a weekly classroom component along with hands-on practical experience handling misdemeanor and felony cases in the Harris County Criminal District Courts and County Criminal Courts at Law.

Instructor Information

Joshua Lake

Department: Law

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Office Hours

Mondays from 2 to 5 p.m.

General Course Information

Course Meeting Time: Wednesdays from 4 to 5 p.m.

Course Meeting Location: TBD

Course Objectives and Student Learning Outcomes

Course Description

As a student in this Clinic, you will represent individuals facing misdemeanor criminal charges in Harris County, and perhaps surrounding counties. You will be your client's attorney and therefore

responsible for all aspects of the case: client interviewing and counseling, fact investigation and development, working with witnesses, legal research and drafting documents, negotiations, and trial advocacy. You will work in pairs or groups of three under the supervision of Professor Lake.

Because students will have already completed one semester of clinical programs, Clinic II will provide students a deeper experience with more opportunities to take the lead in client representation. The classroom component of the clinic will focus on more advanced aspects of criminal practice.

You will also be involved in criminal-justice advocacy or community outreach. This may include participating in "Know Your Rights" presentations, attending community events, preparing articles or social media content regarding the Clinic and criminal-justice issues, and more.

In addition to the case and advocacy work, there is also a classroom component to the Clinic. The class will meet once per week and will include classes on lawyering skills, substantive law, procedural rules, and ethical considerations. Classes will also explore the myriad ways in which the criminal-justice system impacts society outside the courtroom. Class time will also include case rounds, which are group problem-solving sessions where a case team presents a problem to the class and the class helps the team to examine the problem, consider their own goals, and brainstorm solutions.

Note: Most court settings will begin at 9 a.m. If you have other classes you need to take that are only held in the morning, you will miss out on a significant source of clinic hours. Please set your schedule accordingly. If you have questions regarding this, please feel free to contact Professor Lake.

Learning Outcomes

- Development of interviewing and counseling skills;
- Development of fact investigation, litigation, and public speaking skills;
- Improvement in legal research and writing skills;
- Introduction to substantive and procedural areas of criminal law, as well as local court rules and procedures;
- Deepened understanding of criminal-justice issues and their real-world effects; and
- Exposure to key figures in the criminal justice system, including defendants, defense attorneys, prosecutors, judges, and court staff.

Required Instructional Materials

Trial Manual 10 for the Defense of Criminal Cases ([available free online](#))

Other readings and asynchronous materials will be posted on SharePoint.

Course Schedule, Assignments, and Assessments

Time Commitment

- Class Sessions: Classes will meet once a week, on Wednesdays from 4 to 5 p.m.
- Supervision Meetings: Your case team will meet in person with Professor Lake once per week at a time that is convenient for all.
- Other: Other case and group work will be scheduled by you and your team.

Students are required to complete 150 hours of work (50 hours per course credit) during the semester. This includes all the work you do for the Clinic, including time spent on orientation and classes, meetings, case work, client meetings, and time in court.

Students are responsible for tracking their hours spent on clinic matters. At the end of each month, students must provide Professor Lake with a detailed update of their hours worked.

Class Attendance

Clinic attendance is mandatory unless otherwise excused by Professor Lake. The Law Center requires students to attend at least 80% of the scheduled classes.

Class deadlines are firm, and late or skipped assignments will adversely affect your grade.

Assessment

Your grade for the Clinic will depend on your progress toward accomplishing the learning outcomes described above.

Assignments

You will have multiple assignments related to your clients' cases; those assignments will vary depending on the needs of the case. In addition, these are the expected non-case assignments and

related due dates:

- February 24: Hearing/Trial Observation and Debrief with the Attorney
- March 31: Motion to Suppress
- April 14: Reflective Essay on either "How Can You Represent *Those* People?" or "How Can You Imprison *Those* People?"
- April 14: Community Outreach or Advocacy Event

Discussion and Lecture Topics

Classes will cover topics including:

- Introduction to Voir Dire
- *Crawford* and Testimonial Hearsay
- Witness Preparation
- Effective Written Advocacy
- Making a Record for Appeal
- Effective Note Taking and Case Organization
- Defending Difficult Cases and Clients
- The Morality (or Immorality) of Criminal Defense

Our lecture topics may shift depending on the issues that arise in the cases we will be handling this semester.

Grading Rubrics and Weights

The majority of your grade will be based on your work handling real cases throughout the course of the semester. Your grade will be based on your participation, performance, and professionalism.

The remainder of your grade will be based on your work in the non-case assignments described above.

Late or skipped assignments will adversely affect your grade.

This is an ordinary University of Houston Law Center course. Accordingly, Law Center policy requires the final grade average for the course be 3.20 – 3.40 on a 4.0 scale, or whatever scale is in effect at the time of enrollment.

Course Policies and Procedures

Professionalism

Our classroom is a learning environment where everyone is treated with respect and dignity. In this course, all students are welcome regardless of background or identity.

As the Texas Lawyer's Creed puts it: "The conduct of a lawyer should be characterized at all times by honesty, candor, and fairness." Consider also these words of the Southern District of Texas Guidelines for Professional Conduct: "Lawyers should treat each other, the opposing party, the court, and members of the court staff with courtesy and civility and conduct themselves in a professional manner at all times."

Difficult Topics

This course may expose you to difficult topics, ideas, and evidence. By its very nature, the criminal justice system deals with wrongdoing of every kind, from the most trivial to the most heinous. Prosecutors and defense attorneys routinely witness the aftereffects of trauma, violence, abuse, and more. This Clinic will introduce students to the realities of the criminal justice system, and some of the material may be difficult to handle. If you have questions or concerns about that, I would be glad to speak with you privately.

University Policies and Student Support Resources

Mental Health and Wellness Resources

The University of Houston has a number of resources to support students' mental health and overall wellness, including [CoogsCARE](#) and the [UH Go App](#). [UH Counseling and Psychological Services \(CAPS\)](#) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off- campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a [Let's Talk](#) location in-person or virtually.

Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

Need Support Now? If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org.

Title IX/Sexual Misconduct

Per the UHS Sexual Misconduct Policy, your instructor is a “responsible employee” for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office (known at UH as the Equal Opportunity Services office or "EOS"). Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the UH [Title IX/Sexual Misconduct Resources page](#). Please note that you may also report concerns of discrimination based on your protected class identity to EOS.

Reasonable Academic Adjustments/Auxiliary Aids

The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website:

<https://uh.edu/accessibility/> calling (713) 743-5400, or emailing jdcenter@Central.UH.EDU.

The [Student Health Center](#) offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment.

The [A.D. Bruce Religion Center](#) offers spiritual support and a variety of programs centered on well-being.

The [Center for Student Advocacy and Community \(CSAC\)](#) is where you can go if you need help but don't know where to start. CSAC is a “home away from home” and serves as a [resource hub](#)

to help you get the resources needed to support academic and personal success. Through our [Cougar Cupboard](#), all students can get up to 30 lbs of FREE groceries a week. Additionally, we provide 1:1 appointments to get you connected to on- and off-campus resources related to essential needs, safety and advocacy, and more. The [Cougar Closet](#) is a registered student organization advised by our office and offers free clothes to students so that all Coogs can feel good in their fit. We also host a series of cultural and community-based events that fosters social connection and helps the cougar community come closer together. Visit the CSAC homepage or follow us on Instagram: @uh_CSAC and @uhcupbrd. YOU belong here.

Women and Gender Resource Center

The mission of the [WGRC](#) is to advance the University of Houston and promote the success of all students, faculty, and staff through educating, empowering, and supporting the UH community. The WGRC suite is open to you. Stop by the office for a study space, to take a break, grab a snack, or check out one of the WGRC programs or resources. Stop by Student Center South room B12 (Basement floor near Starbucks and down the hall from Creation Station) from 9 am to 5 pm Monday through Friday.

Academic Honesty Policy

High ethical standards are critical to the integrity of any institution, and bear directly on the ultimate value of conferred degrees. All UH community members are expected to contribute to an atmosphere of the highest possible ethical standards. Maintaining such an atmosphere requires that any instances of academic dishonesty be recognized and addressed. The [UH Academic Honesty Policy](#) is designed to handle those instances with fairness to all parties involved: the students, the instructors, and the University itself. All students and faculty of the University of Houston are responsible for being familiar with this policy.

Excused Absence Policy

Regular class attendance, participation, and engagement in coursework are important contributors to student success. Absences may be excused as provided in the University of Houston [Undergraduate Excused Absence Policy](#) and [Graduate Excused Absence Policy](#) for reasons including medical illness of student or close relative, death of a close family member, legal or government proceeding that a student is obligated to attend, recognized professional and educational activities where the student is presenting, and University-sponsored activity or athletic

competition. Under these policies, students with excused absences will be provided with an opportunity to make up any quiz, exam or other work that contributes to the course grade or a satisfactory alternative. Please read the full policy for details regarding reasons for excused absences, the approval process, and extended absences. Additional policies address absences related to [military service](#), [religious holy days](#), [pregnancy and related conditions](#), and [disability](#).

Recording of Class

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the [Justin Dart, Jr. Student Accessibility Center](#). If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Use of A.I.

In this course, the use of artificial intelligence systems is permitted as long as such use complies with four rules:

1. Informed use: that the student knows how the system works, its limitations and risks.
2. Transparent use: that the students report the used tool and how they used it.
3. Ethical use: that they do not pass off as their own the text generated by the system and that they utilize applicable citation rules.
4. Responsible use: that all information obtained through the system is checked against other reliable sources and that **no personal or confidential information (the student's own or their clients') is entered into the system** when making queries.