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The William S. Boyd School of Law Juvenile Justice Clinic

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In the January 2001 issue of the *Nevada Lawyer*, Professor Annette Appell reviewed the work of the Child Welfare Clinic, one of the legal clinics started at the William S. Boyd School of Law in Fall 2000. This article reviews the work of the Juvenile Justice Clinic. Together, these two clinics form the core of the law school's developing clinical program.

Students in the Juvenile Justice Clinic, like their Child Welfare

proficiency in legal research and writing. Many clinic students also may have worked with lawyers or judges as paralegals, law clerks or externs. But none have felt the responsibility of actually *being* someone's lawyer. In the Juvenile Justice Clinic, each student acts as his or her client's lawyer, working side by side with another clinic student as co-counsel. A professor who is a licensed attorney supervises the students' work.

detention center and observes a range of juvenile court proceedings, including detention and plea hearings, adjudications, and formal report and disposition hearings. Throughout the semester, students attend a weekly seminar in which they discuss Nevada juvenile law and practice, and current issues of juvenile justice, such as the high incidence of learning disabilities and mental illness among delinquent youth. A

WILLIAM S. BOYD SCHOOL OF LAW

JUVENILE Justice Clinic

by
Mary Berkheiser
Associate Professor of Law and
Director of Clinical Programs

Clinic counterparts, must get certification from the Nevada Supreme Court for limited practice in the Nevada courts. Once they are certified, students may appear in court only on behalf of clients who consent to being represented by a law student and only under the supervision of a professor at the Boyd School of Law. Sixteen third year law students were certified to practice in the Juvenile Justice Clinic during 2000-2001, its inaugural year.

Most students arrive in clinic with little, if any, exposure to the juvenile court system and no experience with real clients of their own. After two years of law school, they have studied many areas of substantive law and have developed varying levels of

During the opening weeks of clinic each semester, students participate in a mock trial, playing the role of either prosecution or defense counsel, as well as the necessary witnesses, in a delinquency adjudication modeled on a real case. During this exercise, students perform many of the essentials of lawyering - they digest and analyze the facts and the law to determine their theory of the case; they consider and develop trial strategies; they put together a trial plan with the appropriate witnesses and exhibits; and they conduct the trial, from opening statement to direct and cross examination, and closing argument. Before receiving their own clients, each clinic student also tours the juvenile court and

second weekly session is devoted to students' discussion of their cases and how the seminar topics play out in "real life."

The heart of the clinic, of course, is the people the students represent, the clients. The Juvenile Justice Clinic receives most of its clients through referral by the Juvenile Court, although some clients manage to find the clinic on their own. In the 2000-2001 school year, the Juvenile Justice Clinic represented 50 boys and girls, ages 12 to 17. Most faced misdemeanor or felony charges in juvenile court, ranging from violation of a noise ordinance to battery and armed robbery. For a few who were charged with offenses at school, clinic students also provided representation, or

assisted their clients in representing themselves, at their school disciplinary hearings. In all of their clinic cases, students are expected to meet with their clients as long and as often as their schedules permit. The more they can learn about their clients, the better able they are to represent them on their current charges, and perhaps even help them to avoid future scrapes with the law.

In one case, the state sought to certify for trial as an adult a 16 year old who was charged with robbing a fast food store with an adult cousin who wielded a handgun. There was no denying the seriousness of the crime, but it became clear early on that adult court likely would exacerbate the problems this boy already had. He belonged in juvenile court, where he would be held accountable for what he had done, but also could receive needed educational and other services available only in the juvenile justice system. His student lawyers' investigation revealed a history of abuse and neglect by his cocaine-addicted mother, the death of his father at an early age, and years of being shuffled from one foster home to another. Several subpoenas and stacks of paper later, the students were able to document mental and emotional problems that had gone untreated, learning disabilities that held him to the level of a seven

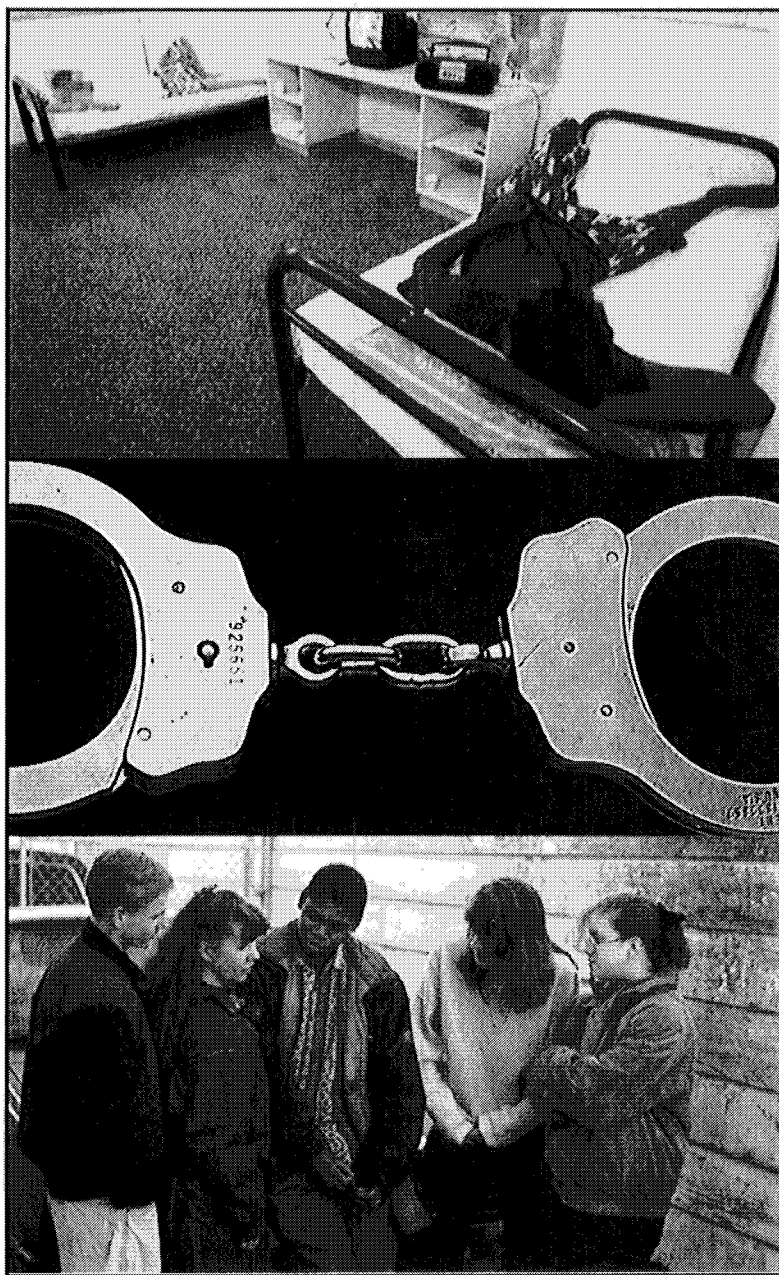
year old, and a general pattern of abuse and neglect by those entrusted with his care. The student attorneys' advocacy persuaded the judge to deny the

more than the proverbial drop in the bucket. But our hope is that the impact of law students' participation in the clinical program will extend far beyond the

clients they serve in one semester in a law school clinic. Through their work in the Child Welfare and Juvenile Justice Clinics, our graduates enter the practice of law with the experience and understanding to assure that children and youth have a place at the table of legal representation. Now that our charter class has graduated, we will soon begin to see the difference they can make.

Professor Berkheiser earned her J.D. magna cum laude from the University of Arizona. She was a law clerk to Arizona Supreme Court Justice Stanley Feldman, and spent eight years as an attorney practicing in the areas of employment law, appellate litigation and professional liability defense. She has prosecuted and defended appeals in the United States Court of Appeals for the Ninth Circuit, Arizona Supreme Court and Arizona Court of Appeals. Professor Berkheiser taught in the

Law School Clinic at Arizona State University College of Law from 1995 to 1998, in the areas of employment, housing, and consumer law and is now teaching Civil Procedure/ Alternative Dispute Resolution at the Boyd School of Law at UNLV.



state's certification petition. The same judge later accepted the boy's plea and entered orders appropriate to the crime but tailored to the boy's individual needs.

The 85 children and youth represented by students in the Juvenile Justice and Child Welfare Clinics this past year are little

Welcome New Faculty Colleagues

By Richard J. Morgan, Dean

As we prepare for the start of a new academic year, the William S. Boyd School of Law welcomes our outstanding new faculty colleagues:

Writing Professor Peter Bayer joins our accomplished Lawyering Process faculty after teaching at Boston College, the University of Baltimore, the University of Miami, and St. Thomas University. In addition to earning a reputation as an excellent teacher, Professor Bayer is an active scholar, with publications on subjects as diverse as civil rights and the phenomenology of legal reasoning.

Professor Joan Howarth comes to the Boyd School of Law after ten years at the Golden Gate University School of Law in San Francisco, where she taught courses in Constitutional Law, Sexual Orientation and the Law, Torts, and Women and the Law. Formerly a public defender as well as a civil liberties litigator for the ACLU, Professor Howarth has published extensively in such areas as capital punishment, prisoners' rights, and gender and sexual orientation and the law. Most recently, she has been a visiting professor at U.C. Davis, U.C. Hastings, and U.C. Berkeley (Boalt Hall). At Boyd, Professor Howarth will teach Constitutional Law as well as clinical courses.

Professor Steve Johnson joins our faculty after seven years at the University of Indiana (Bloomington) School of Law, where he taught Income Tax, Taxation of International Transactions, Taxation of Business Entities, Tax Crimes, and Tax

Procedure. Professor Johnson has extensive practice experience in the private sector as well as in the Office of the Chief Counsel of the IRS, and has published numerous articles on federal tax topics. At Boyd, Professor Johnson will teach a wide range of courses in the federal tax area.

Assistant Professor Pamela Mohr brings with her an extensive record of clinical teaching and public interest work in the area of children's law, having served as Legal Clinic Director at the University of South Carolina, Northwestern University, and Ohio Northern University. In her public interest work, she directed the ABA's Juvenile Court Improvement Project, founded and directed the Alliance for Children's Rights (Los Angeles), and directed the Children's Rights, Homeless, and Volunteer Legal Services Projects for the Los Angeles Public Counsel. At Boyd, Professor Mohr will teach courses in the Child Welfare clinic as well as related subjects.

Associate Professor Keith Rowley most recently served as Visiting Assistant Professor of Law at Emory University and the

Mississippi College School of Law. His teaching and research interests include commercial and securities law, areas in which he has a substantial record of scholarship as well as extensive practice experience.

Writing Professor Michael Strong joins our Lawyering Process group after four years teaching research and writing to federal public defenders. His recent scholarly publications include articles on banking and federal sentencing reform.

Our newly arrived Externship Director Martin Geer brings with him many years of practice experience as a civil rights and criminal defense lawyer, in addition to his more recent work supervising clinics and externship programs at such law schools as the University of Michigan, Syracuse, and the University of Baltimore. The most recent of his many scholarly publications have focused on international human rights.

As the Boyd Law School continues to grow, we will benefit greatly from the teaching and scholarly contributions of our newest colleagues. **N**

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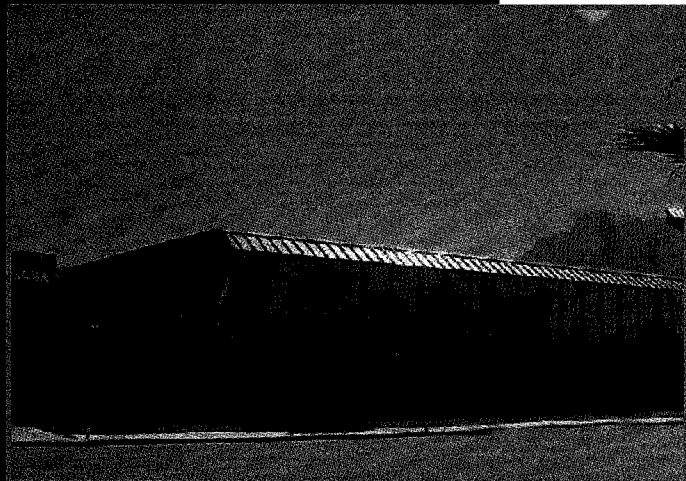
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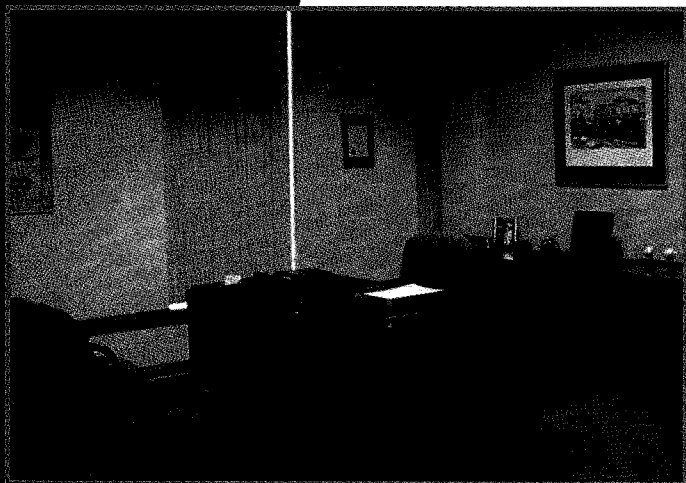
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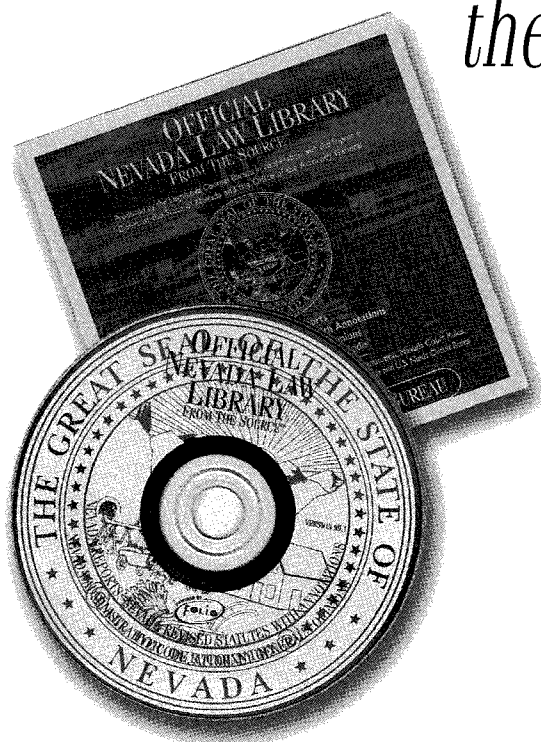
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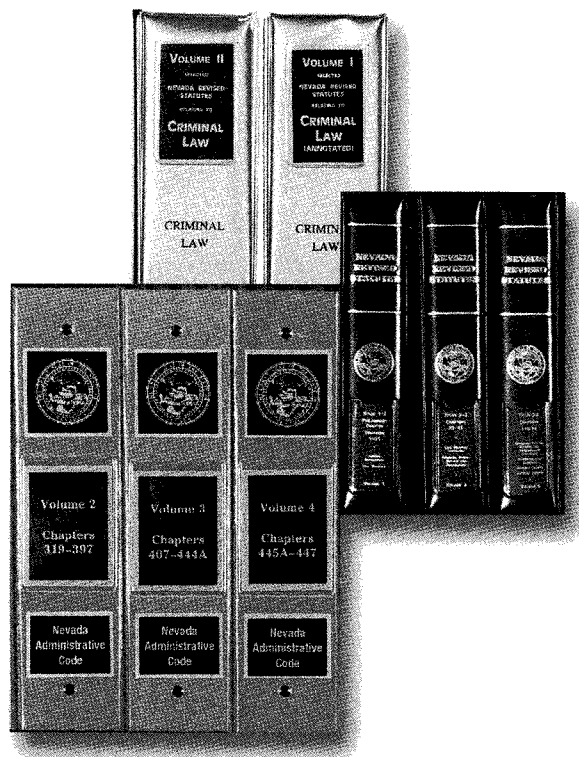
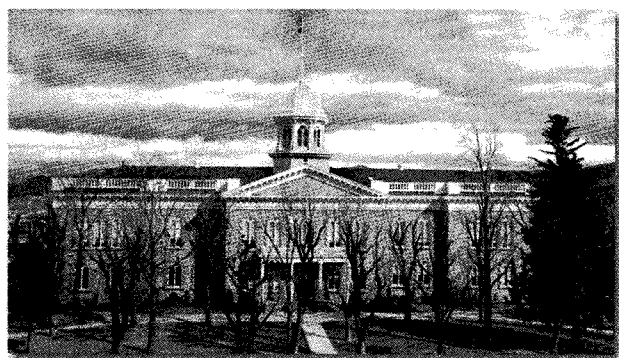
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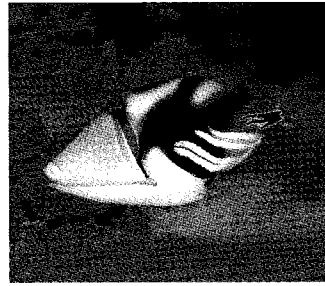
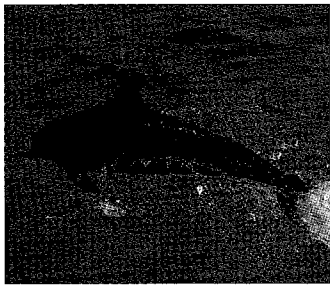
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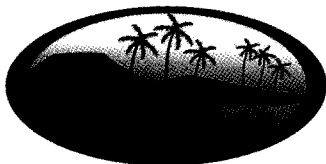




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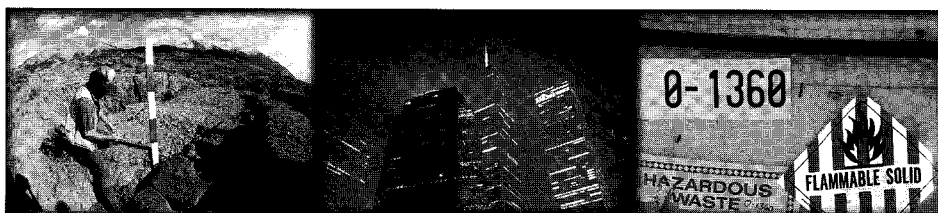
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