



THE CLINICAL LAW PROGRAM

CRIMINAL DEFENSE CLINIC

Instructor: Professor Maneka Sinha

Type of Clinic: Fall 2021 (4 credits) – Spring 2022 (4 credits)

The consequences of a criminal conviction—even for minor offenses—are severe: convictions can result in loss of liberty, loss of housing, loss of employment, inability to obtain financial assistance, lost educational opportunities, disruption to families and communities, stigma, and much more. These and other consequences of criminal convictions can negatively impact life for years after the conviction is entered in court. In fact, these consequences can last lifetimes. As with all other aspects of the criminal justice system, these consequences are often greatly amplified for the poor and for people of color. This is particularly true in Baltimore City, where individuals from the poorest communities continue to disproportionately confront the criminal justice system.

Student-attorneys in the Criminal Defense Clinic will represent indigent clients who are charged with misdemeanor crimes in Baltimore City District Court. All of our clients face not only the “direct” consequences of convictions (or, the punishment imposed by the Court) but also the “indirect” consequences of convictions (such as having a criminal conviction record, the loss of housing and employment and the countless other effects of a conviction).

In the fall, students will be introduced to the criminal justice system and criminal defense practice. Students will prepare for the intensive work of client representation. The seminar will have two major components: exposing students to the historical and current influences on the modern criminal justice system and beginning practical preparation for representing indigent clients charged with crimes. There may also be a post-trial stage fieldwork component in the fall, such as compassionate release or parole.

Topics covered will include the legacy of slavery; the reconstruction era and the civil rights movement on our modern era of mass incarceration; the impact of selective policing and prosecution policies on poor communities and communities of color; and the influence of politics on criminal laws, including “three strikes” laws and mandatory minimum sentencing policies.

Students will gain lawyering skills through a series of mock exercises and/or simulations covering client interviewing; investigation; defense theory development, negotiations, motions practice and basic trial skills.

In the spring, student-attorneys will zealously represent their clients through every phase of a criminal case, from the early stages of the case; through the discovery, investigation and motions phases; through negotiations with prosecutors; and at trial and sentencing. Student-attorneys will practice "client-centered" defense, tailoring their representation to the goals of each individual client. Through their representation, student-attorneys will explore the criminal process and criminal practice in depth.

Upon completion of the clinic, student-attorneys can expect to have developed a comprehensive skillset in client-centered defense practice, including:

- Client interviewing and relationship building
- Fact investigation
- Discovery practice
- Defense theory development
- Plea negotiations
- Criminal motions practice
- Trial advocacy (e.g., opening statements, cross-examination, closing arguments)
- Sentencing advocacy

The Clinic includes a seminar component. The seminar classes will meet twice weekly on Tuesdays from 1:05pm to 3:05pm and on Thursdays from 2:10pm to 3:05pm.

Prerequisites: Criminal Procedure, Evidence. Evidence, but not criminal procedure, can be taken as a co-requisite.

Students who enroll in this clinic are required to have taken Criminal Procedure and Evidence as prerequisites by the spring 2021 semester. Evidence, but not criminal procedure, can be taken as a co-requisite in the fall 2021 semester.

Students are also required to meet with Professor Sinha before registering for the clinic.