

CRIMINAL JUSTICE CLINIC

Terms of Participation as a Student Attorney

1. Students may be required to withdraw from the clinic at any point during the semester for failure to comply with the following terms of participation and will not receive any academic credit if required to withdraw. Further, conduct reflecting upon fitness to become a lawyer may be reported to bar admission authorities by the law school.
2. The undersigned student certifies that he or she will have completed at least 60 credit hours toward the law degree before the commencement of the semester during which the clinic is taken.
3. Pursuant to Rules 91-96 of the Supreme Court of Georgia the student will assist in the legal representation of indigent criminal defendants as if licensed to practice law in Georgia. The student attorney may represent a client only under the direct supervision of Professor Cunningham or one of the supervising attorneys of the Georgia Justice Project (GJP), which may include volunteer attorneys approved by Professor Cunningham for clinic supervision. The student must always clearly identify himself or herself to clients, witnesses, court personnel and all other persons as a student attorney. The student hereby acknowledges that any action which constitutes the practice of law which is not taken under the direct supervision of a clinic supervisor may violate O.C.G.A. §§15-19-50, 15-19-51 and 15-19-56 regarding the unauthorized practice of law, which action would constitute a criminal misdemeanor and also might adversely affect the student's subsequent application for admission to the bar.
4. The student attorney must comply with every rule of the Georgia Rules of Professional Conduct (GRPC). No later than the second week of the semester, the student attorney shall provide written certification that he or she has reviewed the GRPC including all comments, with particular attention to provisions that differ from the ABA Model Rules of Professional Conduct.
5. All pleadings or other entries of record as well as all correspondence written on behalf of a client must be reviewed and approved by Professor Cunningham or a supervising attorney before filing or mailing.
6. A student attorney may not disclose any information relating to the representation of a client protected by GRPC 1.6 to any person other than a supervising attorney, other member of the GJP staff, or another student attorney without prior authorization from a supervising attorney. Student attorneys must be careful not to discuss any information regarding a client's case that is not a matter of public record outside the clinic – such as at the law school or in social situations -- even if the client's name is not disclosed.

7. Student attorneys may not make any written or oral statement that might be interpreted as binding the client – such as a proposed plea offer, agreement to continue a hearing, or a promise to provide restitution to an alleged victim – without prior authorization from a supervising attorney.
8. Student attorneys may only participate in a court proceeding if a supervising attorney is physically present in the courtroom.
9. Because a student attorney may need to go to court on short notice, or otherwise appear in a professional setting, student attorneys must wear business attire during office hours and other times when working at the clinic office.
10. Student attorneys must comply with the clinic system for signing out of the office and indicating where the student attorney will be while engaged in clinic work.
11. Student attorneys must accurately and completely record all activity taken on behalf of a client, and all information gained relating to a case, in the case file, as close as possible to the time of the activity. Case files are subject to audit by Professor Cunningham or a clinic supervisor at any time. Original case files must be signed out whenever removed from the file drawer. At no time should original pleadings, exhibits or records be removed from the case file except for copying. Student attorneys are encouraged to make copies for their own use of key documents in their cases.
12. Student are required to work a minimum of 168 hours per semester and may be required to expend additional time to meet their professional responsibilities to their clients. Absent good cause or prior permission from Professor Cunningham, student attorneys must attend the weekly clinic firm meeting and keep their scheduled office hours, arriving at the clinic office promptly at the time firm meetings or office hours are scheduled to begin. With the prior permission of Professor Cunningham, a student may complete the clinic before the end of the 14th week if all requirements have been met. A student may not complete the clinic, even if 168 hours have been worked, until Professor Cunningham has approved the transfer of each case back to the GJP staff.
13. Student attorneys must submit to Professor Cunningham no later than Monday at 2:30 pm time sheets for the prior week showing in adequate detail how time has been expended. Case file activity reports may be incorporated by reference.
14. An anonymous course evaluation, including both the standard College of Law forms in addition to any additional forms specific to the clinic, must be completed on or before the last day of classes.

- 15. The undersigned student acknowledges that participation in this clinic may present a risk of property loss or damage, bodily harm and possibly even death. In particular, the student understands that the GJP office is located in a low-income community with a high crime rate and that clinic work is likely to involve witness interviewing and crime scene investigations in other high-crime locations. The student may refuse a particular work assignment if the student believes it subjects him or her to a dangerous situation.

- 16. Student attorneys are expected to drive to the clinic office and use their own cars for clinic work. Please attach to this agreement a copy of a current proof of insurance. Provide below the color, make and model of the car that will be used and the license plate number:

I have read and fully understand the above **"Terms of Participation"** and agree to be bound by these terms.

Name: _____
(Printed)

Signature: _____

Date: _____