Criminal Law Clinical Program
Where Students take to the Courts

In the Criminal Law Clinical Program, students learn:

- how to sort through the factual possibilities of a case and investigate to discover facts;
- how to apply legal doctrine from Evidence, Criminal Procedure, Criminal Trial Advocacy, and Criminal Law courses in a real-life context;
- to study the criminal justice system in operation, as participant observers, to experience and reflect on the difference between the law on the books and the law in action; and
- the nuances of criminal trial litigation in an environment where they make critical decisions and implement case strategy, with supervision and feedback from experienced faculty.

PROGRAM DESCRIPTION
The Program has both a Defender and Prosecutor component. Both practice in the level of the state court system that adjudicates misdemeanors and certain felonies. Defenders represent indigent adult and juvenile clients in the Boston Municipal Court and the Boston Juvenile Court in a variety of cases that range from assault and battery to larceny and drug offenses. Prosecutors appear on behalf of the Norfolk County District Attorney’s Office in the Quincy District Court in cases that often involve drug offenses, larcenies, and drunk driving.

Students participate for two semesters, during either their 2L and 3L years or their entire 3L year, earning up to 19 credits over the course of the Program. In their first semester, “Juniors” are assigned to teams in both the Defender and Prosecutor components. In their second semester, “Seniors” are assigned to be Defenders or Prosecutors and in turn lead the teams whose members include new Juniors. In addition to their fieldwork, students take a related trial advocacy course.

We warmly welcome all applicants and remind students that Boston University policy prohibits discrimination against any individual on the basis of race, color, religion, sex, age, national origin, physical or mental disability, sexual orientation, gender identity, genetic information, military service, pregnancy or pregnancy-related condition, or because of marital, parental, or veteran status, and acts in conformity with all applicable state and federal laws. This policy extends to all BU Law academic programs.

PROGRAM REQUIREMENTS
Juniors are required to complete courses in criminal procedure, evidence, and criminal trial advocacy before advancing to the second semester of the program. Juniors are advised that they must have either a Tuesday or a Wednesday morning available for court observation and participation.

PROGRAM HIGHLIGHTS
Students conduct trials, contest motion hearings, and bail hearings. Many of the Defenders’ clients have mental health diagnoses and/or substance use disorder, that can present complex counseling issues. In addition to trial representation, students may also work in other levels of the court system. Defender students regularly appear in the Superior Court for bail appeals. Students also file amicus briefs at the appellate level, most recently in a landmark case before the Supreme Judicial Court dealing with demands by ICE that the Massachusetts courts honor immigration detainers. Both Defender and Prosecutor students have argued cases before the Massachusetts Appeals Court and the Supreme Judicial Court. Program faculty, with support from Program students, argued a case before the United States Supreme Court.

Since the Program began in 1975, nearly 2,000 students have participated. Program alumni include judges, elected district attorneys, prominent capital litigators, government lawyers, and leaders of law firm litigation departments across the country.

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