

Law students face unique defense

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CASSOPOLIS — Intern law students from the University of Notre Dame are embarking upon a program in Cass County described as unique in the nation.

The interns will be working in 4th District Court helping defend indigent defendants against misdemeanor criminal charges. The program is a cooperative effort involving the Notre Dame Legal Aid Clinic, the court and the Cass County Bar Association.

It represents the first time, at least in southwestern Michigan and possibly the state and the nation, that law interns have been involved with defending people charged with criminal acts.

"It is unique in the United States because federally funded Legal Aid forbids interns to touch either the prosecution or defense in criminal cases," explained Frank Booker, director of the ND Legal Aid Clinic and a professor of law.

"However, there is no federal money involved here and it is allowed at Notre Dame. And, it is a valuable help to us in the training of law students."

Booker said Michigan was the first state in the country to permit the use of interns in criminal proceedings.

Law students have been getting on-the-job experience in the Cass County Prosecutor's Office. They also were involved in civil cases through the Cass County Legal Aid Bureau before it was discontinued about four years ago.

However, the use of interns in criminal defense is a new experiment.

"It is a very serious matter to be defending criminal cases," said Booker. "But, if it is successful, we may explore whether it is feasible to expand their use into circuit court."

Under the program which was launched Friday with the swearing in of five interns by District



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District Judge Paul Deats of Cassopolis swears in law interns from the University of Notre Dame who will be working in his court. From left are JoAnn Chavez of Detroit, Maureen O'Reilly of Vermont, Jesus Salazar of New Mexico and Todd Edwards of South Dakota.

Judge Paul E. Deats, the students will work under the supervision of Cassopolis attorney Peter M. Karlowicz and retired Berrien County Circuit Judge Julian Hughes.

Booker said Michigan law allows the use of interns with consent of the court. However, interns must work under the supervision of a practicing attorney, who actually is responsible for their work.

As the interns become more proficient, their work load will become more varied.

Prosecutor Margaret Chiara said she feels it is an excellent program. "It is a good experience for students in determining the direction of their legal career," she added.

"Based on our experience, I have a very positive response to offering law students criminal law experience."

And, she pointed out that Judge Deats has been very supportive of the intern program that has been part of the history of the prosecutor's office.

"We have benefited from having law students in the office who assist with the volume of cases," she added. "And, they benefit from the actual work experience."

Chiara said interns from Notre Dame and Valparaiso University have worked in the office for years. "Ours practice in all three courts — probate, district and circuit — and some even have tried jury cases."

Karlowicz termed the program very beneficial for interns, because "this is the nuts and bolts of courtroom experience."

Booker was director of the ND Legal Aid Clinic when it was started 23 years ago. He introduced the use of interns in Berrien County in 1968 and in Cass County in 1969. After a seven-year absence, he took over the program again last fall.

Law interns spearheading the program will be third-year student Maureen O'Reilly of Burlington, Vt., and second-year students Todd Edwards of Sioux Falls, S.D., JoAnn Chavez of Detroit, Robert Lennon of Kalamazoo, and Jesus Salazar of Roswell, N.M.