Law students face unique defense

BY LYLE BUMBER

CASSOPOLIS — Law students from the University of Notre Dame are enrolling upon a program in Cass County designed as unique in the nation.

The interns will be working in 41st 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 Boooker, 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 in us in the training of law students."

Boooker 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 Prosecutors Office. They also have been involved in civil cases through the Cass County Legal Aid Board before it was discontinued about four years ago.

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

"It is a very serious matter to be defending criminal cases," said Boooker. "If it is a successful, we may explore whether it is feasible to expand their use in circuit court."

Under the program which was launched Friday, the wearing of black intern's by District Judge Paul Deets of Cassopolis awards in law interns from the University of Notre Dame who will be working in his court. From left are John Chavez of Detroit, Maureen O'Reilly of Vermont, Jesus Soliz of New Mexico and Todd Edwards of Soud Dakota.

Judge Paul R. Deets, the students will work under the supervision of Cassopolis attorney Vieve M. Karlowitz and retired Berrien County Circuit Judge Julian Hughes.

Boooker 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 Chiera said she finds it 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 the law students criminal law experience," she added.

And, she pointed out that Judge Deets has been very supportive of the intern program. He 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."

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

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

Boooker was director of the ND Legal Aid Clinic when it was started 25 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 are handling the program will be third-year student Maureen O'Reilly of Burlington, VT, and second-year students Todd Edwards of Sioux Falls, S.D., John Chavez of Detroit, Robert Lennon of Kalamazoo, and Jesus Soliz of Roswell, N.M.