



LIFE PRESERVERS: Jolene Forman '12 and Nicki Gutierrez '13 helped conduct extensive field investigations in separate capital cases.

Students' Life-or-Death Fight for Fairness Continues

Throughout the past school year, students in Boalt's Death Penalty Clinic busily upheld its longstanding fight for fair proceedings in capital cases—a fitting tribute for the clinic's 10th anniversary celebration in April.

In February 2012, clinic Director Elisabeth Semel conducted an oral argument in the California Supreme Court on behalf of a clinic client. "Several classes of clinic students wrote the appellate briefs in this case," says Professor Semel. "A student helped prepare the case for oral argument, and students worked throughout

the year on post-conviction litigation to ensure that the prosecution turns over critical documents to which our client is entitled."

The clinic also persuaded Alabama's Supreme Court to hear a case that challenges a common practice: state judges signing, verbatim, orders

drafted by the Office of the Attorney General that deny relief for death row inmates. Under the supervision of Associate Director Ty Alper, one clinic student drafted the certiorari petition that persuaded the Court to take the case, as well as the subsequent briefing.

Led by staff attorney Kate Weisburd, the clinic was co-counsel on a team of lawyers representing an indigent Georgia woman accused of setting a hotel fire that resulted in five deaths. Six students played a key role in the prosecution's decision to drop the death penalty—the fourth time Weisburd and her students have helped convince prosecutors to dismiss capital charges.

In December, a student group including Jolene Forman '12 participated in the murder trial. "The range of our work was astounding," Forman says. "Investigations before and during trial, extensive legal research and writing, expert witness preparation, lay witness interviews, and a crash course in fire science."

Also in Georgia, the clinic took on representation of two clients recently sentenced to death. During the year, 10 students worked up every aspect of these cases: investigating juror misconduct, filing a motion for new trial, consulting with forensic mental health experts, and drafting appellate briefs.

On behalf of a Texas death row inmate facing a capital retrial, three students working under Semel's supervision conducted an extensive field investigation—interviewing witnesses and gathering records—and drafted a motion to dismiss the death penalty, based on destruction of evidence.

"Sometimes you get a door shut in your face and sometimes you find a crucial witness," says Nicki Gutierrez '13, who made trips to Texas and Minnesota. "To see your work product put toward saving someone's life, what more rewarding experience could you ask for as a law student?" —*Andrew Cohen*

Seeking Justice, Against All Odds

War crimes committed almost four decades ago. Aged, infirm defendants. Thousands of elderly witnesses. And venues with neither history nor precedents upon which to rely. Finding justice under such circumstances was no small challenge, but International Human Rights Law Clinic Director Laurel Fletcher and

her team of students stepped up to the task.

Former leaders of Cambodia's Khmer Rouge regime are on trial before the Extraordinary Chambers in the Courts of Cambodia (ECCC) for crimes that claimed an estimated 2 million lives from 1975 to 1979. Their second trial is under way, following a first proceeding widely



FRONT AND CENTER: Noun Chea (middle), No. 2 leader of Cambodia's brutal Khmer Rouge regime, in court at the U.N.-backed war crimes tribunal in December 2011.