
Capital Assistance Project

History

In 1996, the Georgia Supreme Court requested that the state's four law schools develop programs to assist agencies involved in the representation of the large number of individuals charged with or convicted of capital crimes in Georgia. In developing a program to respond to the Court's request, the Law School also sought to maximize the educational opportunities for students. The Law School's program, known as the Capital Assistance Project, JURI 5310, started in Spring Semester 1998 and is open to a limited number of second- or third-year students each semester (including summer).

About the Project

Students participating in the Project work on capital cases with attorneys at one of the agencies described below. Four of the agencies are located in Atlanta and one is located in Athens. Participating students are assigned projects such as the investigation of factual issues, the preparation of memoranda or briefs on a variety of legal issues, and the research and preparation of jury instructions. The course also includes a classroom component. In the class meetings, students learn about the

death penalty, discuss their work experiences at the agencies, share resources, consider current issues in capital punishment, and examine problems which confront the attorney defending a capital case.

Interested students should be aware of several important factors. Participants will be working with attorneys representing individuals charged with or convicted of capital offenses. Completion of or concurrent enrollment in any of the following courses **is useful but not required**: Evidence, Criminal Law, Criminal Procedure I, Criminal Procedure II, Capital Punishment, Postconviction Relief. Students enrolled in the Project should anticipate preparing a significant amount of written work such as memoranda in support of motions and appellate briefs. Some of the assignments may require substantial effort in a short period of time. Finally, because most of the agencies are located in Atlanta, students should anticipate traveling to Atlanta on a regular basis although some of the assigned work may be completed in Athens.

About the Agencies

On January 1, 2005, **Georgia Capital Defenders** was created pursuant to the Georgia Indigent Defense Act. Located in **Atlanta**, the office has roots dating to 1992. Georgia Capital Defenders provides representation as lead counsel for nearly all indigent defendants charged with capital crimes in Georgia. In addition to providing counsel for the trial of capital cases, the office represents convicted defendants in their first appeal. Students at Georgia Capital Defenders' main office in Atlanta work primarily on appeals to the Georgia Supreme Court.

In 2013, a satellite office of **Georgia Capital Defenders** opened in **Athens**. This office is available for a limited number of students every semester. Students assigned to the GCD Athens office work primarily on pre-trial issues and frequently prepare trial motions and memoranda.

The **Georgia Resource Center** was established in 1988 to address problems with the representation of death-sentenced inmates in habeas corpus proceedings. The **Atlanta**-based Resource Center monitors capital litigation throughout Georgia.

It directly represents death-sentenced inmates in habeas proceedings on a limited basis. The Resource Center also recruits firms and attorneys to represent inmates in need of counsel and assists those attorneys with capital cases.

The **Southern Center for Human Rights** in Atlanta, in addition to its other activities, represents people of color, poor people, people with mental illnesses and other disadvantaged people facing the death penalty at trial, on appeal, and in post-conviction and clemency proceedings. The SCHR publishes reports and articles on the death penalty. It also provides assistance to other capital defense attorneys.

Among its activities, the **Federal Public Defender Office** in Atlanta represents indigent capital defendants in federal habeas proceedings. In addition to the preparation of briefs and pleadings, Federal Public Defender attorneys spend considerable time investigating each of the capital cases. Students frequently accompany attorneys to interview individuals who had served as jurors in capital cases. Please note this placement is available by special arrangement only.

Students from other law schools frequently participate in programs at the Atlanta agencies. Therefore, the number of placements at each agency is limited and variable.

Registration

The Project is open to second- and third-year students but enrollment is limited. **This two-credit course is not subject to the point allocation system.** Also, the course does not count against the law school's limit on clinical credits. Interested students must complete an application and include a current copy of their resume. Registration requires permission of the Director.

Students may participate for a single semester. However, the maximum benefit for both the student and the agencies will be realized if students continue for a second semester. For information or an application, contact:

Curtis Nessel
Project Director
Rusk Hall, Room 306
706-542-5277

nesset@uga.edu