

**PRO BONO SCHOOL EXPULSION PROJECT**  
**CASE CHECKLIST**

- \_\_\_ Meet with parent and child to have all necessary releases signed (if not already done by pro bono intake coordinator) (school/therapist/probation officer/public defender/etc.).
  
- \_\_\_ Request a postponement/continuance of the expulsion hearing from the Board's attorney so that you have time to review the record. You should do this at the same time that you request the expulsion record from the Board's attorney.
  
- \_\_\_ Request a copy of the expulsion record from the Board's attorney including any written statements by any witnesses to the incident, and the witnesses that the Board intends to call at the expulsion hearing.
  
- \_\_\_ Request a copy of the entire school record (including the complete disciplinary record and any special education or 504 records) from the school principal, and "cc" the special education director, the superintendent and the Board's attorney.
  
- \_\_\_ Request a copy of the Board's discipline policy from the parent or the Board's attorney.
  
- \_\_\_ Request a copy of the police records, if applicable.
  
- \_\_\_ Review the expulsion record and ensure that all procedural safeguards have been followed.
  
- \_\_\_ Review the school record to screen for potential special education issues.
  
- \_\_\_ Meet with the client after reviewing the record to prepare for the hearing.
  
- \_\_\_ Ask the client if there were other witnesses present when the alleged event occurred and contact them. If the witness is a co-defendant, ask his/her attorney for an opportunity to meet and discuss the case with them present.
  
- \_\_\_ Obtain the names and phone numbers of character witnesses (including teachers) that will be able to testify to the fact that this is a good student who should not be expelled and prepare to call them as witnesses. If the witnesses are unable to attend, attempt to obtain a notarized statement/affidavit regarding the good character of the student.
  
- \_\_\_ Find any newspaper articles relating to the incident.
  
- \_\_\_ Collaborate with the legal services attorney who is handling the special education case for the student, if applicable.
  
- \_\_\_ Collaborate with the public defender who is representing the child in the criminal/juvenile case and discuss whether or not the student should testify (if criminal/delinquency charges related to the expellable offense are pending.)
  
- \_\_\_ Prepare for the hearing: opening, cross-examination, direct examination, closing. Be mindful that only Constitutional issues can be raised on appeal to the Superior Court, and make a clear record.