

SYLLABUS
Innocence Clinic: Innocence Project of Minnesota
Full Year 2009-2010
Wednesday 1:25pm-325pm

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This clinic offers students a chance learn about the causes of wrongful convictions and the hands-on opportunity to attempt to remedy them. An emphasis will be placed on understanding the distinction between trial issues, appellate issues and post-conviction issues. This allows students to learn some of the procedural pitfalls often faced by the legal practitioner.

With this basis of knowledge, the students will then work actual cases submitted by inmates who are claiming innocence. Students will obtain source material – police reports, forensic reports, court pleadings, transcripts, appellate briefs and opinions - and review them in order to present for discussion during class. Based on classroom discussion, the students may then have the opportunity to correspond with or visit the inmate/applicant, interview potential witness, talk with defense attorneys, prosecutors and police officers, and do any other investigation necessary. Once this investigation is done, the students will be instrumental in deciding whether the inmate's claim should be rejected or litigated. If litigation is appropriate, students may work on preparing appropriate motions. Some local travel will be required.

You will be required to work 140 hours on IPMN files throughout the course of the year in addition to time spent in class and preparing for class. You should **email me weekly**, once your files have been assigned, with an accounting of your hours, what file they were for and a very brief description of what you did. Your grade will be based on the work you do on your files and your class participation. You will not receive credit unless you complete the entire year.

Please note you must be willing to sign and abide by the terms of a confidentiality agreement related to the case materials you will be working on. You will be required to return those materials. Students unwilling or unable to abide by those terms and conditions should notify the instructor immediately.

Reading assignments are in Actual Innocence, Uncovering Reasonable Doubt and posted on **TWEN under Course Materials by date**. You will need to sign into TWEN for Innocence Clinic to access those materials.

September 9, 2009: Introduction to Wrongful Conviction: overview and innocence project research. AI - Ch. 1., Appendix 2 and TWEN readings (see above).

September 16, 2009: Causes of Wrongful Convictions

Eyewitness Identification: Memory, process and factors that can affect reliability. A.I. Ch. 3. and TWEN;

False Confessions: How can a police interrogation result in a false confession? A. I. Ch. 4. and TWEN

September 23, 2009: Finish Eyewitness ID and False Confessions

September 30, 2009: Counsel for the Poor: Failure of states to provide for capable counsel for the indigent and its effect: wrongful convictions. A.I. Ch. 9. and TWEN;

Government Misconduct and Wrongful Convictions: How abuse of prosecutorial powers can result in wrongful convictions. A.I. Ch. 8. and TWEN;

Informants and Cooperators: Abuse of jailhouse informants and wrongful convictions; Remedies. A.I. Ch. 6. see TWEN.

October 7, 2009: Media and Investigative Journalism: Investigative reporting and its role in establishing the actual innocence of prisoners. See TWEN.

October 14, 2009: Habeas Corpus and Post-Conviction Remedies: Can you still be in prison if you can show that you are "actually innocent?" see TWEN. Distribute sample case for next week. (Folkers)

October 21, 2009: Discuss IPMN case procedures and expectations.
Discuss sample case - Folkers.
Assignment: Read IPMN training manual and Folkers for this week.
Distribute sample case for next week. (Conda)
Distribute screening cases for November 4.

October 28, 2009: Forensic Science and Wrongful Convictions: Logic of forensic science; flaws in forensic sciences; and lack of data establishing reliability of tests. Ch. 5, 7. see TWEN and Read Conda
And
Discuss sample case - Conda.

Distribute case assignments. (you may start counting case hours here).

November 4, 2009: Screen Cases.

November 11, 2009: DNA Testing and Innocence: How DNA evidence, proof positive that the defendant is "actually innocent," works. Ch. 2. see TWEN
We may present cases this day, if people will volunteer to be ready.

November 18, 2009: Present cases.

November 25, 2009: Present cases.

December 2, 2009: Investigation 101.
Read - Uncovering Reasonable Doubt

Winter Break

January 20, 2010: Firm meeting

January 27, 2010: Firm meeting

February 3, 2010: Firm meeting

February 10, 2010: Firm meeting

February 17, 2010: Firm meeting

February 24, 2010: Firm meeting

March 3, 2010: Firm meeting

March 10, 2010: Firm meeting

March 17, 2010: No class

March 24, 2010: Firm meeting

March 31, 2010: Firm meeting

April 7, 2010: Firm meeting

April 14, 2010: Firm meeting

April 21, 2010: Last day of class