

SYLLABUS
Innocence Clinic: Innocence Project of Minnesota
Full Year 2012-2013

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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 witnesses, talk with defense attorneys, prosecutors and forensic analysts, 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 must email me monthly, 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.

Attendance is very important, in addition to the effect it could have on the participation portion of your grade, excessive absences could result in a lower grade or non-passing grade. It is expected that students will attend class regularly and be prepared to participate in class discussion and exercises. Excessive absence is defined as missing 2 or more classes per semester.

COMPUTER USE POLICY: Because the value of this class is highly dependent upon intensive interaction among the participants, computer use should be limited to taking notes or looking up information related to the class discussion. However, any other use of the computer or the internet is prohibited during class time because it is distracting for the rest of the class.

Please note although we will meet initially in room 6. The course will eventually meet for class at the Hamline Park Plaza Building, 570 Asbury Street at the Innocence Project Offices. This is located about 4 blocks south of the law school and free parking is available.

1st class: Overview of the work of IPs and Common Causes of Wrongful Convictions.
ADVANCE ASSIGNMENT Actual Innocence (AI) Chapters 1, 3, 4 and Appendix 2 and TWEN.

2nd class: Counsel for the Poor: Failure of states to provide for capable counsel for the indigent and its effect: wrongful convictions.
ADVANCE ASSIGNMENT AI Ch. 9. and TWEN;

Government Misconduct, Snitches and Wrongful Convictions: How abuse of prosecutorial powers can result in wrongful convictions.
ADVANCE ASSIGNMENT AI Ch. 6, 8. and TWEN

3rd class: Forensic Science and Wrongful Convictions: Logic of forensic science; flaws in forensic sciences; and lack of data establishing reliability of tests.
ADVANCE ASSIGNMENT Ch. 5, 7. see TWEN

DNA Testing and Innocence: How DNA evidence, proof positive that the defendant is "actually innocent," works.
ADVANCE ASSIGNMENT Ch. 2. see TWEN

4th class: Overview of MN Criminal Process
Habeas Corpus and Post-Conviction Remedies: Can you still be in prison if you can show that you are "actually innocent?"
ADVANCE ASSIGNMENT see TWEN (lots of reading for this class).

- 5th class: Ethics and Innocence Clinics
Discuss IPMN case procedures and expectations.
Discuss sample case – Folkers (on-line)
Distribute initial screening cases for October 6 (You may start counting screening hours here)
ADVANCE ASSIGNMENT Read IPMN training manual and Folkers for this week.
- 6th class: Discuss assigned sample cases – Conda and Townsend (on-line)
Distribute case assignments. (You may start counting case hours here)
ADVANCE ASSIGNMENT Read Conda and Townsend
- 7th class: Discuss cases distributed for initial screening.
- 8th class: Present assigned cases
- Hamline Break: No class
- 9th class: Present assigned cases
- 10th class: Investigation 101.
Read - Uncovering Reasonable Doubt

The remaining classes will be run like law firm meetings. We will discuss everyone's cases and have the opportunity for input on your classmate's cases and receive direction and input on your own. You are expected to attend these classes and prepare for them accordingly.