

**SYLLABUS**  
**Innocence Clinic: Innocence Project of Minnesota**  
**Full Year 2013-2014**

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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 144 hours on IPMN files throughout the course of the year in addition to time spent in class and preparing for class. You must track your time, 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.

This course will meet at the Hamline Park Plaza Building, 570 Asbury Street at the Innocence Project Offices for the Fall Semester. The building is located about 4 blocks south of the law school and free parking is available. We are still in the process of determining where the class will meet during Spring semester.

**September 5, 2013: PLEASE NOTE THIS IS THE FIRST DAY OF CLASS**

Make-up hours are built into your casework hours.

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.

September 12, 2013: 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

September 19, 2013: 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

September 26, 2013: 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).

- October 3, 2013: Ethics and Innocence Clinics  
Discuss IPMN case procedures and expectations.  
Discuss sample case – Folkers (on-line)  
Distribute initial screening cases for October 24 (You may start counting specific case hours here)  
**ADVANCE ASSIGNMENT** Read IPMN training manual and Folkers for this week.
- October 10, 2013: Discuss assigned sample cases – Conda and Townsend (on-line)  
Distribute case assignments. (You may start counting specific case hours here)  
**ADVANCE ASSIGNMENT** Read Conda and Townsend
- October 17, 2013: No class.
- October 24, 2013: Discuss cases distributed for initial screening.
- October 31, 2013: Present assigned cases
- November 7, 2013: Present assigned cases
- November 14, 2013: Investigation 101.  
Read - Uncovering Reasonable Doubt

The remaining classes will be run like law firm meetings. We will still meet **weekly at the Innocence Project Office**. We will discuss everyone's cases and you will be expected to have 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.

We will have class 11/21, 11/26 and then start again on 1/23/14 until 4/24/14 with a break on 3/13. You may continue to work on your cases during breaks and into May, but we will only meet as a class on class days.