

SYLLABUS

**GRAND JURY SEMINAR
HAMLINE SCHOOL OF LAW
FALL SEMESTER 2008**

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TEXT: NONE

STATEMENT OF GOALS AND OBJECTIVES:

This seminar is in many ways a primer on the law governing the workings of a federal grand jury. We will be discussing all aspects of the grand jury, including how a grand jury operates, how evidence is presented, how the subpoena power of the grand jury is utilized, why grand jury proceedings are secret, and the Constitutional limitations on grand jury methods.

TESTING AND GRADING:

There will be a two-hour final examination that incorporates the principles learned in class. The final grade will be determined by your answer to the one question on the examination.

LAPTOP USAGE POLICY:

Laptops may be used in the classroom to take notes but connecting to the Internet and emailing during class is prohibited.

REQUIRED READING:

Class #1: August 25, 2008

Class Focus:

The History of the Grand Jury
Necessity of indictment for federal prosecution
Returning Indictments
Quorum Issues
The Role of the Prosecutor
The Effect of Unauthorized Intrusions

We will discuss the following rules, statutes, and cases in class:

Fifth Amendment to U.S. Constitution
Federal Rule of Criminal Procedure 6
Vasquez v. Hillery, 474 U.S. 254 (1986)
Brazburg v. Hayes, 408 U.S. 665 (1972)
Bank of Nova Scotia v. U.S., 487 U.S. 250 (1988)
U.S. v. Williams, 504 U.S. 36 (1992)

No Class on Labor Day, September 1, 2008.

Class #2: September 8, 2008

Class Focus:

Grand Jury Secrecy

We will discuss the following rules, statutes, and cases in class:

Federal Rule of Criminal Procedure 6(e)
Douglas Oil v. Petro Stops, 441 U.S. 211 (1979)
In Re Grand Jury Proceedings (Gregory P. Violette)
183 F.3d 71 (1st Cir. 1999)
U.S. v. Dionisio, 410 U.S. 1 (1973)
U.S. v. Sells Engineering, 463 U.S. 418 (1983)
U.S. v. John Doe Inc. I, 481 U.S. 102 (1987)
Illinois v. Sarbaugh, 552 F.2d 768 (7th Cir. 1977)
In Re U.S., 398 F.3d 615 (7th Cir. 2005)

Class #3: September 15, 2008

**Class Focus:
Grand Jury Presentation**

We will discuss the following cases in class:

U.S. v. Warner, 16 F.3d 247 (8th Cir. 1994)
U.S. v. Brown, 943 F.2d 1246 (10th Cir. 1991)
U.S. v. Hogan, 712 F.2d 757 (2d Cir. 1983)
U.S. v. Giorgi, 840 F.2d 1022 (1st Cir. 1988)
U.S. v. Williams, 504 U.S. 36 (1992)
U.S. v. Calandra, 414 U.S. 338 (1974)

No Class September 22, 2008.

Class #4: September 29, 2008

**Class Focus:
Grand Jury Presentation
Grand Jury Subpoena Power**

We will discuss the following cases in class:

U.S. v. Holloway, 74 F.3d 249 (11th Cir. 1996)
U.S. v. North, 920 F.2d 940 (D.C. Cir. 1990)
U.S. v. Nixon, 418 U.S. 683 (1974)
U.S. v. R. Enterprises, 498 U.S. 292 (1991)
Doe v. DiGenova, 779 F.2d 74 (D.C. Cir. 1985)

Class #5: October 6, 2008

**Class Focus:
Contempt of the Grand Jury**

We will discuss the following cases in class:

Harris v. U.S., 382 U.S. 162 (1965)
Shillitani v. U.S., 384 U.S. 364 (1966)
In Re Grand Jury Matter, 926 F.2d 348 (4th Cir. 1991)
U.S. v. Armstrong, 781 F.2d 700 (9th Cir. 1986)
International Union v. Bagwell, 512 U.S. 821 (1994).

Class #6: October 13, 2008

**Class Focus:
Grand Jury Witnesses**

We will discuss the following cases in class:

U.S. v. Gillespie, 974 F.2d 796 (7th Cir. 1992)
U.S. v. Mandujano, 425 U.S. 564 (1976)
U.S. v. Soto, 574 F. Supp. 986 (D. Conn. 1983)
U.S. v. Romano, 583 F.2d 1 (1st Cir. 1978)

Class #7: October 20, 2008

**Class Focus:
Grand Jury Witnesses**

We will discuss the following cases in class:

U.S. v. Sarihifard, 155 F.3d 301 (4th Cir. 1998)
U.S. v. Conley, 415 F.3d 183 (1st Cir. 2005)
U.S. v. Gaudin, 515 U.S. 506 (1995)
U.S. v. Chapin, 515 F.2d 1274 (D.C. Cir. 1975)
U.S. v. Devitt, 499 F.2d 135 (7th Cir. 1975)

Class #8: October 27, 2008

**Class Focus:
Indictments**

We will discuss the following in class:

Stirone v. U.S., 361 U.S. 212 (1960)
Russell v. U.S., 369 U.S. 749 (1962)
Blackledge v. Perry, 417 U.S. 21 (1974)
U.S. v. Huntress, 956 F.2d 1309 (5th Cir. 1992)
In Re Johnson, 484 F.2d 791 (7th Cir. 1973)

November 3, 2008: Review for the Final Exam

**THE REGISTRAR'S OFFICE WILL BE ESTABLISHING DATES AND TIMES FOR
THE FINAL EXAMINATION FOLLOWING NOVEMBER 3, 2008.**