

## DEATH PENALTY CLINIC: SYLLABUS FALL 2013

Professor David R. Dow

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Please be advised that the Texas Innocence Network office (located at TUII-45) is generally open from 10:00–4:00 Monday–Thursday. *However, unless students have scheduled a specific appointment, we reserve the right to be out of the office at any time on meetings/investigations/etc. and the office lobby may be closed.*

### *Text/Supplemental Materials*

Materials will be made available via in class and/or via e-mail.

### *Attendance Requirement*

Pursuant to UH Law policy, you must attend at least 11 of the 14 regularly scheduled classes. Class will be held on Tuesday from 2:00 – 4:00. It will begin with a lecture in TBA, followed by a case meeting session in TBA. In the highly unlikely event a make-up class is necessary, it will be scheduled in accordance with UHLC policy on September 20, October 25, or November 8, 2013.

### *Class Requirements/Grading*

A total of 120 hours (including class time, meetings, etc.) must be spent on work performed for Death Penalty Clinic. As part of the required 120 hours, you must attend classes, complete class assignments/case work, submit a timesheet in Excel format, and return all case files. “Billing” takes place in .25 hr increments. In addition, you also must adhere to the end-of-the-semester procedures (to be discussed in detail on the last day of class, to be held on December 3, 2013).

*At any point in the semester, if you foresee having difficulty reaching 120 hours, please contact Professor Jeu immediately.* She will work with you on reaching a mutually amenable solution that adheres to university requirements. Failure to complete the 120 hours will result in an incomplete or failing grade. ***All class assignments are due by 5 pm on Thursday, December 19, 2013.***

In accordance with UHLC policy, the ordinarily applicable weighted average for this class will be between 2.8–3.2. This weighted average is ordinarily applicable for classes with fewer than ten students and mandatory for classes with ten or more students. Grades will be based on the quality of student work performed during the semester and class participation.

<i><b>Class Date</b></i>	<i><b>Class Discussion *</b></i>	<i><b>Assignment Due</b></i>
August 27, 2013	<ul style="list-style-type: none"> <li>• Class introduction</li> <li>• Confidentiality / TDCJ forms</li> <li>• Screening innocence claims</li> </ul>	<ul style="list-style-type: none"> <li>• n/a</li> </ul>
September 3, 2013	<ul style="list-style-type: none"> <li>• AEDPA</li> <li>• Investigation presentations</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>
September 10, 2013	<ul style="list-style-type: none"> <li>• State Habeas – drafting &amp; claims</li> <li>• Case meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>
September 17, 2013	<ul style="list-style-type: none"> <li>• Clemency</li> <li>• Case meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>
September 24, 2013	<ul style="list-style-type: none"> <li>• Physical Evidence – Part I</li> <li>• Case meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>
October 1, 2013	<ul style="list-style-type: none"> <li>• Physical Evidence – Part II</li> <li>• Case meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>
October 8, 2013	<ul style="list-style-type: none"> <li>• Chapter 64</li> <li>• Case meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>
October 15, 2013	<ul style="list-style-type: none"> <li>• Appellate Advocacy – Part I</li> <li>• Case meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>
October 22, 2013	<ul style="list-style-type: none"> <li>• Appellate advocacy – Part II</li> <li>• Case meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>
October 29, 2013	<ul style="list-style-type: none"> <li>• Criminal Defense law &amp; legal ethics</li> <li>• Case meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>
November 5, 2013	<ul style="list-style-type: none"> <li>• Interviews &amp; Affidavits</li> <li>• Case meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>
November 12, 2013	<ul style="list-style-type: none"> <li>• Causes of Wrongful Convictions</li> <li>• Case meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>
November 19, 2013	<ul style="list-style-type: none"> <li>• Criminal procedure: Arrest to trial</li> <li>• Case meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>
November 26, 2013	<ul style="list-style-type: none"> <li>• Capital vs. non-capital trial strategy</li> <li>• Case meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>
December 3, 2013	<ul style="list-style-type: none"> <li>• End of semester procedures</li> <li>• Case meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Case assignments TBA</li> </ul>

\* - Class lectures subject to change