UMKC School of Law Fall Semester 2006

COURSE NAME: Death Penalty Representation Clinic

COURSE NUMBER: Law 713

PROFESSOR: Sean O’Brien

ESSENTIAL PREREQUISITES: Criminal Procedure 1

DESIRABLE PREREQUISITES: Criminal Procedure 2, Problems and Issues in the Death Penalty, Constitutional Law

COURSE BOOKS: The ABA Guidelines for Appointment and Performance of Counsel in Capital Cases, available for no charge online at: http://www.abanet.org/deathpenalty/guidelines.pdf,

Liebman, Habeas Corpus Practice and Procedure (Michie 2005) is a recommended resource. UMKC Law Library has a copy.

METHOD OF GRADING & APPRAISAL OF STUDENT FOR GRADE: Pass/Fail. Students are expected to devote 40 hours of time to clinical work for each semester hour of credit.

SUMMARY DESCRIPTION OF COURSE: Students will assist attorneys appointed to represent indigent people who are facing execution. Activities include reviewing records in capital cases, legal research and writing, witness interviews, client interviews and investigation.

COURSE CONTENT: At the beginning of the course, students receive training in capital post conviction litigation, including a brief introduction to habeas corpus practice and procedure. Students will be paired with a capital defense attorney at the Public Interest Litigation Clinic, and that attorney will coordinate case assignments with the student. Students will meet with assigned counsel at least weekly for purposes of obtaining assignments, reporting progress and receiving instructions and guidance on current cases and projects. The nature of the projects assigned may vary based on the needs of individual clients and the procedural posture of the case. For more information see the PILC web site, www.pilc.net.

RELEVANCY OF COURSE FOR CAREER PURPOSES: This clinic presents an excellent learning opportunity for any student interested in criminal defense as a career. Participation in the clinic presents an opportunity to observe and participate in litigation of important, complex cases, many of which are highly publicized. Students interested in civil rights litigation and human rights issues would find this course very stimulating.