

## Course Notes – Summer 2019

### Enrollment Caps

Advanced Criminal Law – Habeas	30
E-Discovery	22
Emerging Technologies and the Law	25
Interview, Counsel, & Negotiate	16
Trial Advocacy	12
Workers' Compensation	25

### AWR-Drafting

Advanced Criminal Law - Habeas  
Clinics and Externships (possible; must seek professor approval)  
Emerging Technologies and the Law  
Interview, Counsel, & Negotiate  
Trial Advocacy

### AWR-Research

Supervised Independent Research

### Experiential Learning

Clinics and Externships  
Interview, Counsel, & Negotiate  
Trial Advocacy

### Skills

Clinics and Externships  
Interview, Counsel, & Negotiate  
Trial Advocacy

### Prerequisites

Advanced Criminal Law – Habeas	Criminal Law
Clinics and Externships	See Student Handbook and Profs. Kinsley & Halbrook
Interview, Counsel, & Negotiate	Must be 2L, 3L, or 4L
Trial Advocacy	Evidence and Civil Procedure I and II
Workers' Compensation	Torts I and II

### Notes

**Advanced Criminal Law – Habeas:** This course will provide students with an understanding of federal habeas corpus practice, which is often an inmate's last opportunity to overturn a conviction or avoid execution. The course will do so through real-life experiences from actual cases ongoing at that time and through discussion and analysis of doctrinal law. Federal courts deal with habeas petitions regularly. Yet, law students do not routinely learn federal habeas law. This course will bridge that gap and therefore make students more attractive candidates for prestigious federal judicial clerkships. This course will also provide students with the basic understanding necessary to assist attorneys on federal habeas proceedings and to work toward handling a federal habeas case as an attorney. Students will learn the requirements to proceed in federal habeas and the procedures to follow in filing and litigating a habeas

petition from filing to conclusion. They will also learn the doctrines of exhaustion and procedural default, the limitations on granting habeas relief, what to do when habeas relief is denied, and stay of execution litigation in death penalty cases. In a nutshell, students will learn every aspect of federal habeas corpus with the goal that by the conclusion of the course, students will have a basic knowledge of a) what takes place in the federal courts in a criminal case after it concludes the state court process; b) how to litigate a federal habeas petition from filing to final appellate review, which results in either the inmate's conviction/sentence being vacated, the inmate being executed, or the inmate serving the entirety of a prison sentence. This knowledge should enable students to assist federal district and appellate judges in deciding federal habeas petitions and to work on actual federal habeas cases. Depending on the professor's scheduled court appearances, students may have the opportunity to observe post-conviction proceedings in a death penalty case (in addition to the classroom component of the course). There will be no casebook for the class. Students will work from a packet of materials provided by the professor that will include cases, briefs filed in actual habeas cases, law review articles, and other materials, some of which will be available through Westlaw. Students will also perform a moot oral argument of a capital habeas case. Grading will be a combination of the moot oral argument, class attendance and participation, and a take-home final exam.

**Clinics and Externships:** Students (1) must have completed a minimum of 28 law school credits prior to the commencement of any field placement work and must be in good academic standing at the time the field placement begins; (2) must have satisfactorily completed BLS-Research and BLS-Writing; (3) must be accepted at a pre-approved field placement location (placements are listed in Simplicity) or obtain field placement director's approval before beginning a field placement that has not been pre-approved; and (4) must complete all registration enrolment forms required by the field placement director.

**Trial Advocacy:** This class is a very intensive hands-on skills course. Students will be making presentations each class session. There will be an opening statement, direct examination, cross-examination, voir dire, and closing argument. Students will try a bench trial and a jury trial during the course.