## Class Topics - PCR (Fall 2013)

1.	8/26/13	Course Description
		Overview of a Criminal Trial
		Overview of a Criminal Appeal
		Overview of Habeas Corpus
		Your First Client: The Garcia Transcripts
		Intro to Storytelling: Competing Narratives
	9/2/13	LABOR DAY - NO CLASS
2.	9/9/13	Reporter's Transcript Review & Notetaking
		Clerk's Transcript Review & Notetaking
		The Concept of Waiver; How to Avoid It (People v. Partida)
		The Concept of Prejudice; Different Standards (Arizona v.
	Fulminant	e, People v. Berverman)
3.	9/16/13	Storytelling: To Kill A Mockingbird
		Statement of Facts
		Writing Techniques
4.	9/23/13	The Appellate Brief
		Jury Instructions - Where they come from & how to analyze them
		Elements Of the Crime (In re Winship, Apprendi v. New Jersey)
		Defenses (Bradley v. Duncan)
		Menendez trial - instruction on defense theory
5.	9/30/13	Establishing Prejudice
		Brainstorm Garcia
		The Appellate Brief - Discussion of the Assignment
		<ul> <li>Form &amp; Parts of the Brief</li> </ul>
		Writing Workshop
		<ul> <li>Contextualizing bad facts</li> </ul>
		<ul> <li>Dealing with contrary authority</li> </ul>
		<ul> <li>Anticipating contrary argument</li> </ul>
6.	10/7/13	Exculpatory Evidence - Brady v. Maryland
		Ineffective Assistance of Counsel - Strickland v. Washington
		The Need for State Habeas Corpus
		State Habeas Corpus - Part I
		<ul><li>Procedure (People v. Duvall)</li></ul>
		- Procedural Defaults: Breathing New Life Into Old Cases

## – Hypo: In re Schomberg

7.	10/14/13	State Habeas - Part II  - Drafting the petition  - Drafting declarations  - Working with Investigators & Experts  - Juror Investigations
8.	10/21/13	Oral Argument Workshop
9.	10/28/13	Field Trip: Ninth Circuit Oral Arguments
10.	11/4/13	Federal Habeas - Part I History of Habeas Corpus  - Executive detention  - Post-Conviction uses  The Five Doctrines  - Exhaustion  - Adequate & Independent State Grounds  - Federalization  - Non-Retroactivity  - Harmless Error
	11/11/13	VETERAN'S DAY - NO CLASS
11.	11/18/13	Federal Habeas - Part II AEDPA  - Statute of Limitations - Stay & Abeyance (Jared Jackson hypo) - Successor Petitions - 2254(d) limitation on relief - Current Cases in USSCt.
12.	11/25/13	Habeas Corpus & Executive Detention (Guantanamo cases)