

Habeas & Post-conviction Relief
Spring 2018
Anticipated Schedule

Week 1 (January 17– no class
READING: Chapter 1

Week 2 (January 24)
READING: Chapter 2 & 3 (4 cases, 60 pages); Congressional Report (History, AEDPA, SoL)
Origins/History
Video
Suspension clause
attack v. direct appeal
Intro to AEDPA
Statute of limitations

Week 3 (January 31) – no class; will schedule make up

Week 4 (February 7) – cognizable claims
READING: Chapter 4, 5, 6
Hearts and stuff for Valentine’s Day (Just kidding. But maybe snacks.)
After class: start looking at case materials

Week 5 (February 14) – actual innocence
READING: chapter 7
In class: review some case materials
How to investigate factual claims, fact-busting, planning

Week 6 (February 21) – bars to relief
READING: 8, 9, 10; Congressional Report (remaining sections)
Procedure
Exhaustion
Default
Successive petitions

Week 7 (February 28)– petitions/claims in case
Drafting petitions, supporting arguments

Week 8 (March 7) – procedure
READING: CHAPTERS 11, 12, 13
Habeas Hearings in class /presentation of case
Birthday party

Week 9 (March 14) – Missouri habeas
READING: Judge Stith's article

Week 10 (March 21) – Missouri PCR

Spring Break (March 28)

Week 11 (April 4) – Mo PCR/case materials/petitions/hearings

Week 12 (April 11) – Mo PCR/case materials/amended petitions

Week 13 (April 18) – other Missouri things
Resentencing/vacate
Correct/amend judgment
Withdraw plea/resentencing

Week 14 (April 25) – civil detention/immigration