# Criminal Justice Clinic
## Syllabus Fall 2014
### Prof. Nevins-Saunders

<table>
<thead>
<tr>
<th>WEEK NUMBER</th>
<th>READING ASSIGNMENT</th>
<th>OTHER ASSIGNMENT(S)</th>
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<tr>
<td>Orientation</td>
<td>See Orientation Assignments Memo</td>
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3. Hermann, et al., “Clients in Crisis” (skim)  
4. Legal Action Center, *Your Rap Sheet* (skim)  
5. Rap sheet, complaint and supporting deposition provided to prepare for in-class simulated interview. | Plan, record, and critique simulated client interview. |
| 2 | 1. CPL Articles 240 (Discovery) and 250 (Defense Notices); CPL §§ 200.95(Bill of Particulars) and 100.45(4).  
2. *Discovery Manual*.  
4. Rule 3.4 “Fairness to Opposing Party and Counsel” and Rule 3.8 “Special Responsibilities of Prosecutors and Other Government Lawyers.” (Please note Rule 3.8 and commentary is attached). Rules of Professional Conduct.  
5. List of discovery items from Brooklyn Defenders  
| 3 | 1. Krieger & Neumann, *Essential* | Take and give a witness |

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1 All assignments and classes are subject to change based on the needs of the class during the semester, availability of guests, unexpected class cancelations, and professor’s judgment. That said, I imagine we’ll adhere fairly closely to the schedule and assignments outlined here. Note that written or simulation out-of-class assignments will be given with greater specificity closer in time to the specified class.

2 Articles, statutes, rules, videos, and case law should be looked up online through Westlaw, Google, or, (for law review articles) from the library database for heinonline.
2. C.P.L § 610.  
7. ABA Criminal Defense Function Standards, Part IV: *Investigation and Preparation*, pgs. 201-203  
8. Michelle Maxian, *Subpoena Practice* – (Skim this, but pay particular attention to the Introduction and sections I and IV) | statement. |
|---|---|
| 4 Motions | 1. CPL §§ 170.30-170.45; 255; 710.  
2. Gary Muldoon, *Handling a Criminal Case in New York* (2012-13 ed.), Ch. 7 “Motion and Hearing Practice”  
5. Hearing Preparation Handout | Draft motions facts section; answer questions about motions practice. |
4. Review PL 60, 65, 70 and 80 (only those sections applicable to misdemeanors), CPL 160.50, 170.55 and 170.56 – i.e. what are possible pleas? | Watch *The Plea* sections 2, 4, and 6 (or the whole thing). Two choices for viewing:  
Draft negotiation strategy for current case using worksheet. |
<p>| 6 Plea Negotiation &amp; Client Counseling Simulation | 1. Discovery files for simulated plea negotiation | Prepare for simulated negotiation and client counseling session. |</p>
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<th>Storytelling &amp; Case Theory</th>
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<td>4.</td>
<td>Lindsay, <em>Storytelling – Why We Do it and How to Get Better</em> (optional)</td>
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<td>5.</td>
<td>“Argument I” in Brief for Appellants Oliver Brown et.al. before the Supreme Court in <em>Brown v. Board of Educ. of Topeka, KS</em>, 1952 WL 47265 (1952) (optional)</td>
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Prepare and present a client narrative.

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Prepare voir dire questions.

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<td>2.</td>
<td>Larry Pozner and Richard Dodd, <em>Cross Examination Skills for Law Students</em>, Ch. 7 (2009)</td>
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Prepare and present an opening argument.
2. Bergman, “Cross-Examination,” *Trial Advocacy in a Nutshell*  
| 11 Crimmigration | 1. Immigrant Defense Project, *Suggested Approaches for Representing a Noncitizen in a Criminal Case*  
2. Immigrant Defense Project, *Advisory for Haitian Nationals Considering Applying for TPS*  
5. US Citizenship and Immigration Services Memo on “No Jail” or “No Incarceration” Certifications, (Jan. 21, 2011)  
6. Manuel D. Vargas, *Representing Noncitizen Criminal Defendants in New York State*, Ch. 3 (NYSDA Immigrant Defense Project)  
7. Immigration and Naturalization Act §§ 212, 237 | |
| 13 Sentencing | 1. CPL §§ 380.10-380.50; 390.20-390.50 | Draft a sentencing letter. |


4. Sentencing Letter for John Doe

5. Sentencing Letter for John Smith


### 14 How Can You Represent Those People?
