

**CUA Innocence Project Clinic**  
**Full Year 2009-2010**  
**Professor J. P. Ogilvy**

*The Innocence Project Clinic* is a **full-year, graded, six-credit course** (three credits each semester; students must enroll in and satisfactorily complete both semesters to earn course credit). The course consists of casework, class work, research and writing, and special projects that focus on the systemic issues that arise in cases of wrongful conviction.

**Casework.** The matters on which the students do casework come to the Clinic through the Mid-Atlantic Innocence Project, Inc. (MAIP), an independent 501(c)(3) corporation that has office space at Washington College of Law, American University. Inmates convicted of violent crimes, such as murder and rape, who were convicted and sentenced to long prison sentences in the courts of DC, Maryland, and Virginia who wish to seek release from prison on the basis of actual innocence request assistance from the Mid-Atlantic Innocence Project. Those matters that are accepted by the MAIP are referred to one of several law schools with Innocence Projects, including Catholic. Once the matter has been accepted by the CUA Innocence Project, we begin the process of evaluating the inmate's claim by obtaining copies of the trial, appellate, and, in some cases, post-conviction relief transcripts and briefs. We next read the materials and begin to develop the inmate's theories of actual innocence and develop an investigation plan that typically involves locating and reviewing evidence used at trial, interviewing the inmate, re-interviewing witnesses, developing new evidence including, but not limited to, finding and interviewing witnesses not pursued in earlier investigations by police and defense counsel and, in cases where DNA evidence may be dispositive, locating the biological evidence, securing it, and seeking to have it tested using modern techniques not generally available at the time of the original conviction. Students are expected to devote at least an average of ten to twelve hours of work per week on Clinic matters in the each semester. The course satisfies the Professional Skills course requirement for graduation.

**Class work.** In the both semesters, students participate in a weekly, two-hour seminar in which we examine some of the reasons for wrongful convictions and develop the skills needed to evaluate and investigate claims of actual innocence. In addition to the seminar, students meet with the instructor in regular case team meetings and at other times as required by the casework. Regularly scheduled case team meetings meet weekly and typically last from thirty to fifty minutes.

**Writing Projects.** Throughout the year, students will engage in various writing projects including drafting correspondence, FOIA requests, memoranda to the file, and a selected research and writing project, which may be developed by the student with the permission of the instructor. The writing required by the Clinic satisfies the upper-level Portfolio writing requirement.

**Special Projects.** Students may be involved in one or more special projects related to the casework. For instance, a current project through the Mid-Atlantic Innocence Project involves sending Maryland state FOIA requests to all law enforcement agencies in Maryland to obtain their policies on police eyewitness identification procedures, including photo spreads, lineups, and showups. The data obtained will be analyzed to determine which agencies are complying with US Department of Justice guidelines on eyewitness identification procedures and whether legislation or other actions should be proposed to compel compliance.

**Registration.** Students wishing to enroll in the Clinic must complete a pre-registration application in order to be considered for the Clinic. An interview with Professor Ogilvy may be required. Applications are available in the Clinical Programs Office, room 312 or may be downloaded from Professor Ogilvy's webpage: [www.faculty.cua.edu/ogilvy/courses.html](http://www.faculty.cua.edu/ogilvy/courses.html).

For more information, contact Professor Sandy Ogilvy at [ogilvy@law.cua.edu](mailto:ogilvy@law.cua.edu) or 202.319.6195.