

# LAW 7103: Death Penalty: Theory and Prac

Recommended Prerequisites: Criminal Procedure (LAW 7136) and Evidence (LAW 7024), but not required. This two-credit course surveys constitutional and practical issues in the application of the death penalty in America. The course begins with an overview of the United States Supreme Court's modern death penalty jurisprudence, and follows with constitutional decisions regarding statutory, procedural, and substantive limitations on the application of the death penalty; the role of aggravating and mitigating circumstances in determining life or death; jury selection issues endemic to capital cases; and common death penalty trial issues. The course then explores cutting-edge legal issues affecting the administration and application of the death penalty, including issues relating to mental health, mental retardation, and brain damage; the impact of age, race, and gender; the duties of prosecutors and defense lawyers in capital cases; the practical and constitutional implications of systemic deficiencies in funding indigent defense; the question of innocence and exoneration; and emerging international human rights issues. The course will spotlight cases currently pending before the United States Supreme Court and provide practical insights into the day-to-day litigation of capital cases. Adjunct Professor Amy Donnella is a lawyer with the Federal Capital Habeas Project, the organization that oversees the postconviction representation of all the prisoners on federal death row. Adjunct Professor Ayanna Williams is a lawyer in the Capital Habeas Corpus Unit of the Federal Defender Office for the Eastern District of Pennsylvania. Both have litigated death penalty cases at all levels of the state and federal appellate courts. Along with occasional guest speakers, they will strive to bring real life experiences into the classroom. Exam Info: No Exam

**Credits:** 2.0