



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL *of* LAW

CRIMINAL TRIAL PRACTICE

LAW 902

FALL 2021

PROF. LYDIA D. JOHNSON

TABLE OF CONTENTS

COVID-19 Information Sheet.....	3
The Professor.....	5
Course Books & Material.....	6
Course Description & Objective.....	7
Student Learning Outcomes.....	8
Grading.....	9
Accommodations.....	10
Participation, Attendance, & Professionalism.....	11
Academic Calendar.....	12
Policies and Procedures.....	13
Reading Assignments.....	14

COVID-19 INFORMATION SHEET

HEALTH AND SAFETY ON CAMPUS

Students are expected to continuously self-screen for the symptoms of COVID-19. The Center for Disease Control has a list of COVID-19 symptoms: <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>. If you begin to show symptoms, notify your professor, and leave the classroom. Limit contact with other individuals on campus and contact your healthcare provider for further guidance.

If, before coming to campus, a student starts exhibiting any symptoms of COVID-19 or does not feel well, the student should not attend class in person. The student should immediately notify the Assistant Dean for Student Development and attend classes online.

Students who have been sick with COVID-19 symptoms, tested positive for COVID-19, or have been potentially exposed to someone with COVID-19 should attend classes online, only until they are cleared by their healthcare provider.

The following is taken from the TSU & Coronavirus FAQs:

<http://www.tsu.edu/about/administration/marketing-and-communications/coronavirus/faqs.html>:

Those who have recently traveled internationally or believe they have been exposed to the virus and are experiencing influenza-like illness, with fever greater than 100.3, and symptoms, including cough, body aches, severe sore throat, or runny nose, should seek medical attention, especially if symptoms worsen.

Students should contact TSU Health Services (713-313-7173) and identify themselves as having flu-like symptoms to obtain further recommendations and guidance. Students should also consult with their regular health care provider or seek treatment at a local health center if they are overseas. Please call ahead to your health care provider to notify them of the reason for your visit.

For additional information about COVID-19, including signs and symptoms, transmission, and risk of exposure, and what to do if you are exhibiting symptoms, please refer to the resources section. The CDC's website and Texas Department of State Health Services (DSHS) will also issue guidance for those planning to travel or who have recently returned.

While on campus and in classrooms, students should observe the rules for social distancing, social health etiquette, and general cleanliness.

Students should practice hand hygiene, cough etiquette, and general cleanliness.

Students should maintain at least 6 feet separation in all directions from other individuals.

Face coverings (over the nose and mouth) are required for all students. Students without a face covering will not be allowed to enter the classroom. Students with an approved exemption and

who notify their professor before the start of class may be allowed to wear a face shield instead of a face mask.

Students should wash or disinfect their hands before each class and after any physical interaction with other persons in the classroom.

Students should maintain classroom cleanliness. Students should create a clean classroom environment by putting away unnecessary personal items and cleaning their seating area intermittently.

Students should not expect to enter the Law Building on a day other than the designated day for in-person attendance for an enrolled course. Entry will be permitted only if administration can determine that the maximum occupancy for COVID-19 social distance protocol has not been exceeded.

Students who do not comply with the rules for social distancing, social health etiquette, and general cleanliness may be subject to discipline up to expulsion from law school.

THE PROFESSOR

NAME: Prof. Lydia D. Johnson

TELEPHONE OFFICE: 713.313.7004

CLINIC: 713.313.7275

EMAIL: lydia.johnson@tmslaw.tsu.edu

LOCATION: 100H (TMSL Clinic)

OFFICE HOURS:

Monday: 3:00pm – 5:00pm

Tuesday: 1:00pm – 3:00pm

Thursday: 3:00pm – 5:00pm

(All other times by appointment only)

NOTE FROM THE PROFESSOR:

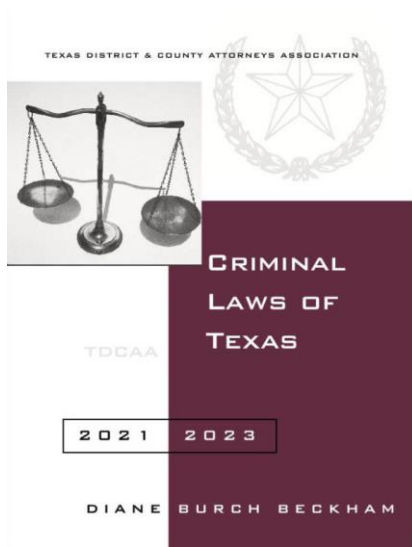
This syllabus is not a contract and is subject to change.

COURSE BOOKS & MATERIAL

Criminal Laws of Texas (2021-2023)

By: Diane Burch Beckham, Editor

Purchase from: <https://www.tdcaa.com/product/annotated-criminal-laws-of-texas-2017-2019/>



COURSE DESCRIPTION & LEARNING OBJECTIVES

DESCRIPTION:

The Criminal Law Clinic is operated as an in-house live-client clinic, which falls into conjunction with the Clinical Legal Studies Program. A full-time clinical instructor/staff attorney will supervise students participating in this clinic. Prior to registering for this clinic, students must submit an application, be interviewed by the clinical instructor, and receive an approval by the Director.

In order to apply for the Criminal Law Clinic, students must have taken and passed: Evidence, Criminal Law, Criminal Procedure, and Constitutional Law.

OBJECTIVE:

The Criminal Law Clinic is dedicated to giving its students an experiential learning experience. The objective of this program is to train students for real practice in the field of Criminal Law.

STUDENT LEARNING OUTCOMES

This criminal law clinic presents students with an opportunity to acquire valuable and practical experience in criminal and juvenile law. The course assists in developing skills in the areas of client interviewing, investigative techniques, drafting of criminal law pleadings, pre-trial motion practice, plea negotiations, courtroom presentation, and trial and oral advocacy skills. Students may be presented with the opportunity of a trial in the criminal law clinic as well. Students completing this course must demonstrate competency in handling misdemeanor criminal and juvenile law related cases from the initial client interview through court proceedings. Students will learn:

- How to prepare an expunction and petition for non-disclosure.
- Learn how to obtain a discovery through subpoenas and PIA.
- How to prepare a Pre-Trial Diversion packet.
- How to get a charge with no probable cause.
- How to prepare a Grand Jury letter.
- How to defend a Motion to Revoke Probation and a Motion to Adjudicate Hearing.
- Prepare an occupational license.
- Interviewing techniques.
- Learn how to prepare a writ.
- Learn how to negotiate with the prosecutors.
- Learn how to prepare motions: *Theus*, Motion for Continuance, and *Ake* Motion.

GRADING

The grading plan for the class is calculated as follows:

Writ **60%**

Assignments **20%**

Client Files **15%**

Mindfulness Logs **5%**

TOTAL PERCENTAGE: **100%**

ACCOMMODATIONS

If you require special accommodations, please fill out the necessary forms with the Dean's office. Your application and documentation will remain confidential. Your prompt attention will allow the law school to accommodate you as soon as it has been made aware of your situation.

Please check the school website: www.tsulaw.edu

PARTICIPATION, ATTENDANCE & PROFESSIONALISM

CLASSROOM MEETING TIMES & DAYS

We will meet on Mondays at 1:00pm.

Each student will be required to meet with the client in the clinic. This time will be scheduled with Mrs. Epps to ensure COVID restriction compliance with room capacity.

COURT ASSIGNMENT

Each student will be assigned to a specific Harris County Court of Law. Students must arrive to his or her required court assignments on time and dressed business professional.

ASSIGNMENTS

Each assignment must be typed, double spaced, and turned in with an exam number.

ACADEMIC CALENDAR



THURGOOD MARSHALL SCHOOL OF LAW

TEXAS SOUTHERN UNIVERSITY
ACADEMIC CALENDAR 2021 – 2022

FALL SEMESTER 2021

FALL SEMESTER 2021 (SEVENTY DAYS OF CLASSES)

Orientation	Monday-Friday	August 9-13, 2021
First Day of Class	Monday	August 16, 2021
Last Day to ADD/DROP	Wednesday	August 18, 2021
Labor Day (NO CLASSES)	Monday	September 6, 2021
<i>Purge of all unpaid course selections</i>	Wednesday	September 15, 2021
Mid Term Examinations	Mon – Fri	October 11-15, 2021
Last Day to Drop a Class	Friday	November 5, 2021
Last Day of Classes	Tuesday	November 23, 2021
First Year Professors' Grades due	Tuesday	November 23, 2021
Reading Period	Wed	November 24, 2021
Thanksgiving Holiday	Thurs – Fri	November 25-26, 2021
Reading Period	Sat- Sun	November 27-28, 2021
Final Examinations	Monday - Friday	November 29-Dec. 10, 2021
Commencement Exercises	Saturday	December 11, 2021

Please note that the calendar events and /or dates are subject to change.

POLICIES & PROCEDURES

Every student is required to meet with Professor Johnson once a week to discuss casework, questions, and the overall clinic class.

Furthermore, every student will be assigned “court hours” and must complete a total of **252 hours** of clinic work. This includes the mandatory client interviews to be conducted at the TMSL Legal Clinic.

Students must be concurrently enrolled in the Criminal Law Class (LAW 960).

Finally, every student is required to meet with Professor Johnson for an exit interview, which will serve as his or her final evaluation in the clinic.

Failure to comply with the policies above will result in a dismissal from the Criminal Law Clinic Program and a drop from this course.

CLASS SCHEDULE AND ASSIGNMENT LIST

DATE	ASSIGNMENT		
August 7 – August 15, 2021	Criminal Law Clinic Bootcamp		
Boot Camp (Saturday-Sunday)	STUDENT LEARNING OUTCOMES	TASK ANALYSIS	ASSESSMENT
	Learn the language of the court, learn how to complete plea papers, voir dire, and attend court.	Review case file, complete plea papers, learn how to prepare motions, courtroom protocol and procedure.	Complete Title IX Hearing.
August 16, 2021 (Monday)	Review Code of Criminal Procedure and syllabus. Conduct client interviews and techniques. Assignment: Read Chapter 14 (Arrest Without a Warrant) & Ch. 15 (Arrest Under Warrant) in Code Book; Case report and update client files.		
August 23, 2021 (Monday)	Writ Lecture – Andrew Smith		
	WRIT OF HABEUS CORPUS TRAINING		
	STUDENT LEARNING OUTCOMES	TASK ANALYSIS	ASSIGNMENT
	Know what a WRIT is When to file a WRIT Process to File a WRIT Different types of WRITs Misdemeanor & Felony WRIT	Read Code Sections: 1.08; 11.01; 11.07-.071	Complete a Writ of Habeas Corpus (Final Draft Due date TBA)
	Assignment: Read the “Writ Bible” provided by Andrew Smith; case report and update client files.		
August 30, 2021 (Monday)	Writ Lecture – Andrew Smith Assignment: Case report and update client files.		
September 6, 2021 (Monday)	LABOR DAY – NO CLASS		
September 13, 2021 (Monday)	Discuss Chapter 14 and Chapter 15 on Arrest Without a Warrant and Arrest Under Warrant. Assignment: Case report and update client files.		
September 20, 2021 (Monday)	Lecture on Search Warrants Assignment: Review a Search Warrant and determine if it is valid and establishes probable cause (due September 27); Case report and update client files.		
September 27, 2021 (Monday)	Review Search Warrant Assignment; Lecture on <i>Frank’s Hearing</i> Assignment: Read Ch. 19 and Ch. 20 (Grand Jury) and learn how to do a Grand Jury Packet; Case report and update client files.		

October 4, 2021 (Monday)	Lecture on Grand Jury and Packets Assignment: Prepare a Grand Jury Packet (due October 18); Read Ch. 24 Subpoenas and 28.01 Pre-Trial Motions; Case report and update client files.
October 11, 2021 (Monday)	Motion practice lecture In Class assignment: Prepare motion Assignment: Case report and update client files.
October 18, 2021 (Monday)	Private Investigator Training Assignment: Case report and update client files.
October 25, 2021 (Monday)	Client Centered Advocacy Assignment: Case report and update client files.
November 1, 2021 (Monday)	Client Centered Advocacy Assignment: Case report and update client files; Pick up Probation File from Professor Johnson and review.
November 8, 2021 (Monday)	Probation File Lecture and In-Class Assignment Assignment: Case report and update client files.
November 15, 2021 (Monday)	Title IX Training Assignment: Case report and update client files.
November 22, 2021 (Monday)	Case Rounds