



TEXAS SOUTHERN UNIVERSITY  
THURGOOD MARSHALL SCHOOL *of* LAW

# **TRIAL SIMULATION**

LAW COURSE NUMBER: 515

SECTION NUMBERS: 1

SPRING, 2018

WEDNESDAYS -ROOM 211

TIME 5:00-6:50 P.M.

**PROFESSOR WILLIAM E. MEJIA**

# CONCEALED HANDGUN POLICY

As you know, the State of Texas has recently passed legislation permitting you to carry a *concealed* firearm on campus if you have a concealed license permit recognized by the State of Texas, subject to the rules and regulations of Texas Southern University's ("TSU's) Campus Carry Policy. Under TSU's Campus Carry Policy, I have the right to designate my office as a gun-free zone. I have elected to make my office a firearm-free space. Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun. For a complete list of the gun-free zones on this campus and the rules governing campus carry at our institution, please visit Texas Southern University's website at <http://www.tsu.edu/>. Please note that entering a gun-free zone on campus with a firearm, including inside my office, could not only lead to criminal prosecution but suspension or expulsion from school.



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## THE PROFESSOR

**NAME:** Professor William E. Mejia  
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**LOCATION OF CLASSROOM:** Room 211  
**OFFICE HOURS:** Appointment only

### COURSE BOOKS & MATERIALS

1. Modern Trial Advocacy  
Analysis & Practice  
Fifth Edition  
Authors: Steven Lubet and J.C. Lore  
National Institute for Trial Advocacy publication (NITA)  
ISBN: 9781601564740
2. Making and Meeting Objections II  
Author: Judge Robert A. Wenke  
ISBN: 13: 978-1933408095; 10: 193340809x  
Cost: \$36.95 on Amazon
3. Case File: *State v. Lawrence*

## **COURSE DESCRIPTION & OBJECTIVE**

### **DESCRIPTION/OBJECTIVE:**

The intent of this course is to continue the transformation of the law student to “whole lawyer” by introducing and allowing for multiple opportunities to practice skills and competencies expected of new lawyers.

My objective is to develop your advocacy skills whether you choose to be a trial attorney, transactional attorney, or not an attorney at all.

## TEACHING METHOD

### A. LECTURES AND DEMONSTRATIONS:

Although it is necessary to actually practice trial skills in order to become familiar and competent in the skill, the theory and analysis of trial advocacy are often best conveyed through lecture and demonstration. This is one of the many reasons that the choice of text book was made. *Modern Trial Advocacy*, the text book offers video vignettes that demonstrate each of the assigned skill. It is the student's responsibility to read the assigned lessons, **IN ADVANCE** of class and to watch the video vignettes, **IN ADVANCE** for the assigned lessons. If it is determined that a student is not prepared, that student will be asked to leave class, and will be counted absent for that day. Students will also be expected to have viewed all related videos prior to class. Students may be called upon to perform or answer questions in class without any further notice.

### B. Full Trials

A Jury trial will be held at the end of the semester.

### ADDITIONAL COURSE REQUIREMENTS:

Students in the "skills" sections will also be required to create and maintain a trial notebook, for which part of their final grade in the "skills" section should be based.

## GRADING

Students will receive a letter grade for the lecture component from Dean Ledesma, AND, students will receive a letter grade for the skills component taught by their individual skills professor.

**The final grade will be determined as follows:**

<b>1. Attendance at weekend sessions .....</b>	<b>___10__ points</b>
<b>2. Assignments.....</b>	<b>___5__ points</b>
<b>3. Trial Notebook.....</b>	<b>___15__ points</b>
<b>4. Observation of at least one Voir Dire.... ..</b>	<b>___10__ points</b>
<b>5. Observation of at least one jury trial .....</b>	<b>___20__ points</b>
<b>6. Final Trial.....</b>	<b>___40__ points</b>
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<b>TOTAL .....</b>	<b>100 POINTS</b>

## PARTICIPATION, ATTENDANCE & PROFESSIONALISM

<b>1. Generally</b>	
<b>a. Special Accommodations</b>	All requests for any special accommodations must be first submitted to the Dean of Student Affairs.
<b>b. Final Examination</b>	None. Final Trial.
<b>2. Dress</b>	<i>IF YOU WOULD NOT WEAR IT TO COURT OR TO WORK IN A LEGAL OFFICE AS AN ATTORNEY, DO NOT WEAR IT TO CLASS.</i>
<b>3. Class Attendance</b>	
<b>a. Attendance Taken-</b>	Daily.
<b>b. Tardiness-</b>	Do not be late. If you think you'll be late, please let me know. If you show up after I begin talking, you will be asked to leave and marked absent.
<b>c. Allowable Number</b>	Refer to The Student Rules of Matriculation.
<b>4. Class Etiquette</b>	
<b>a. Cell Phones</b>	<p>On November 16, 2017, Acting Dean Bledsoe implemented a new cell phone policy, effective immediately. The policy reads as follows, "The use of cell phones in classrooms will be prohibited unless one obtains the expressed consent of the professor.</p> <p>Professors should only permit cell phone usage in the classroom if there is a stated and agreed academic purpose. Otherwise, cell phones should be packed away inside one's back pack or inside a pocket, purse or some other item capable of holding the cell phone."</p>



<b>b. Eating and Drinking in the Classroom</b>	Eating and drinking during class is unprofessional and not allowed.  Water, in water bottles with caps should be the only drinks allowed, everything else should be thrown away prior to coming into class.  Gum is unprofessional. Do not chew gum during class.
<b>c. Tablets/Smart Phones/MP3</b>	If these tools are not being used to serve as direct class support; then please be respectful and set a professional example by not using them.
<b>d. Professional Decorum</b>	Professionalism is required.
<b>e. Yielding the Floor</b>	As in the courtroom, if a colleague, professor or speaker is engaged in presentation or inquiry, please yield the “floor” until you can intervene without disruption. As in a courtroom, only one person can be heard at a time.  Similar to when you are in court, when addressing the professor stand when as you speak.
<b>f. Dismissal</b>	Please do not prepare to leave class until class is dismissed; unless you have told me in advance that you need prior to the dismissal of class.
<b>5. Class Preparation</b>	
<b>a. Student Responsibility</b>	To be prepared to participate in each class session.
<b>6. Respect</b>	Non-negotiable for colleagues and professor. There will be situations where you may feel

	<p>passionate about your arguments during the course, but you will remain professional and respectful in presenting and rebutting.</p> <p>You will be asked to leave and not invited back to my class if you become disrespectful at any point.</p>
<b>7. Expectations</b>	<p>This class will be intense. Expect to work. Much is required to earn an “A,” they will not be handed out lightly.</p>

## WEEKEND SESSIONS:

The tentative weekend schedule is as follows:

1. Professionalism in the Legal Profession: What it Means and What It Requires. Do You Have What It Takes?
  - a. Speaker to be determined
  - b. Date: Tentatively, Saturday, January 20, 2018
  - c. Time: Tentatively, 9:00 a.m.- 12:30 p.m.
  - d. Session will be open to Trial Simulation students; 3L's; TMSL Alumni
    - i. CLE will be offered to any 3L and licensed attorney who attends.
  
2. The Importance of Story Telling
  - a. Address in detail, case analysis, theory and theme building
  - b. The connection between the story and opening statements and closing arguments
    - i. Speaker: I requested Acting Dean Gary Bledsoe to address this topic
    - ii. Date: Tentatively, Saturday, February 10, 2018
    - iii. Time: Tentatively, 9:00 a.m.- 12:30 p.m.
  - c. Session will be open to Trial Simulation students; 3L's; TMSL Alumni
    - i. CLE will be offered to any 3L and licensed attorney who attends.
  
3. Client Interviewing and Fact Investigation: What is the Difference Between an Inhibitor and a Facilitator?
  - i. Students should read the Fact Investigation book.
  - ii. Speaker to be determined
  - iii. Date: Tentatively, Saturday, February 10, 2018
  - iv. Time: Tentatively, 1:00 p.m.- 4:30 p.m.

- v. Session will be open to Trial Simulation students; 3L's; TMSL Alumni
- vi. CLE will be offered to any 3L and licensed attorney who attends.

4. Discovery: Can you afford not to do it?

a. Civil Discovery

- i. Speaker to be determined
- ii. Date: Tentatively, Saturday, March 3, 2018
- iii. Time: Tentatively, 9:00 a.m.- 12:30 p.m.
- iv. Room 1
- v. Session will be open to Trial Simulation students; 3L's; TMSL Alumni
- vi. CLE will be offered to any 3L and licensed attorney who attends.

b. Criminal Discovery

- i. Speaker to be determined
- ii. Date: Tentatively, Saturday, March 3, 2018
- iii. Time: Tentatively, 9:00 a.m.- 12:30 p.m.
- iv. Room 2
- v. Session will be open to Trial Simulation students; 3L's; TMSL Alumni
- vi. CLE will be offered to any 3L and licensed attorney who attends.

5. Winning and Losing by Voir Dire

- a. Students should reach Chapter 14 of Modern Trial Advocacy
- b. This will be a more in-depth coverage of the nuances and importance of Voir dire.
  - i. How to read jury information sheets
  - ii. How and when to request a "shuffle" of the panel
  - iii. When to ask for a larger than standard panel

- iv. The strategy of “busting” a jury panel.
  - c. Speaker to be determined
  - d. Date: Tentatively, Saturday March 3, 2018
  - e. Time: Tentatively, 1:00 p.m.- 4:30 p.m.
  - f. Session will be open to Trial Simulation students; 3L’s; TMSL Alumni
    - i. CLE will be offered to any 3L and licensed attorney who attends.
  
- 6. The Art and Science of Questions: from Open-ended Questions of the Direct Examination to the “Wicked” Question of Cross Examination
  - a. Students should read Chapters 4 and 7 of Modern Trial Advocacy
  - b. Speaker to be determined
  - c. Date: Tentatively, April 7, 2018
  - d. Time: Tentatively, 9:00 a.m.- 12:30 p.m.
  - e. Session will be open to Trial Simulation students; 3L’s; TMSL Alumni
    - i. CLE will be offered to any 3L and licensed attorney who attends.
  
- 7. Never Fear: The Building Up and Tearing Down of Expert Witnesses
  - a. Students should read Chapter 8 of Modern Trial Advocacy
  - b. Speaker to be determined
  - c. Date: Tentatively, Saturday April 7, 2018
  - d. Time: Tentatively, 1:00 p.m.- 4:30 p.m.
  - e. Session will be open to Trial Simulation students; 3L’s; TMSL Alumni
    - i. CLE will be offered to any 3L and licensed attorney who attends.