

## **TMS LAW**

**TRIAL SIMULATION 921**

**ADJ. PROF: MARK VINSON**

**SECTION 01 CLASS ROOM 212 5:00 -6:50 PM SPRING SEMESTER 2018**

### **COURSE SYLLABUS**

Required Text: Modern Trial Advocacy Analysis & Practice, 4<sup>th</sup> Edition, Steven Lubet and J.C. Lore

National Institute for Trial Advocacy publication (NITA)

ISBN: 9781601564740

Fact Investigation 2<sup>nd</sup> Edition

Authors: Paul Zwier and Anthony Bocchino

ISBN: 9781601564351

#### **Course Description:**

This course will cover the role of an advocate in presenting cases before a judge, jury, mediators and/or arbitrators. The course will also cover why team work, professionalism and ethics are core values and are essential in the legal profession. The student will gain an understanding why it is important when you undertake the responsibility to represent a legal cause it is essential to prepare using all your skills such as investigation and maintaining client contact. It is also necessary that you make timely court appearances and avoid sanctions and conduct that could lead to the disbarment from the practice of law.

#### **Course Objective:**

The student will be exposed to the dynamics of the trial process including procedure and substantive rules of law in the Criminal Justice System. This course will cover the theory and understanding of how a criminal case is filed causing an individual (s) to be arrested and brought before the court to answer the charge(s). Moreover, the student is expected to be ready to participate in the discussions and/or demonstrations when called upon. At the end of the course each students should have a basic understanding of the area that were covered such as how to direct and cross examine a witness; how to offer and object to evidence, how to impeach, how to refreshing a witness memory and finally how to make a closing statement.

Each student will be required to participate in a graded jury trial at the end of the semester. At that time the student will be required to show an acceptable level of proficiency in the areas mentioned utilizing a jury charge (instructions on the law of the

case) at closing to demonstrate why he/she should prevail (*facts proven or not proven at trial*) over the opposing party. It's anticipated that the course objective will be achieved through lecture, demonstrations, and class participation. The students are responsible for securing their own witnesses for trial. 1L students are encourage to participate as witnesses at trial. A trial team will consist of two students. Example: Team "A" will be identified as the prosecuting attorneys while Team "B" will be identified as the defense attorneys representing the defendant.

During trial preparation the prosecuting attorneys will comply with the rule of discovery under, Article 39.14 TCCP and the Michael Morton Act, HB 510. The Court will prepare and provide each side with a jury charge. The jury charge will contain, *the law pertaining to the case and is expected to be used by each side during the final argument*. On trial day trial day each team will be dressed in courtroom attire with males wearing a coat and tie. While female participants may wear appropriate dress jackets with skirts and/or slacks. Each team is expected to appear on the date and at the time designated. **Anyone arriving late will not be allowed to participate in the trial.**

Student learning outcome:

I will state again, as required by the school, each students is expected to read the assigned material before class demonstrations. Moreover, class attendance and participation is necessary to gain the required skills. Each student is expected to comply with the attendance guideline set by the law school.

### **Reading Assignment**

January 8	Chapter 1, 2 and 3 Modern Trial Advocacy
January 15	Chapter 13 Jury Selection Voir Dire
January 22	Chapter 9 Foundations and Exhibits
January 29	Chapter 11 Opening Statements
February 5	Chapter 3 Direct Examinations
February 12	Chapter 6 Direct Examination and Redirect
February 19	Chapter 4 Cross Examination

February 26	Chapter 4 Cross Examination/ Chapter 7 Expert Testimony
March 5	Chapter 6 Redirect Examination and Rehabilitation
March 12	Spring Break
March 19	Chapter 12 Final Argument
March 26	Chapter 12 Final Argument
April 2	Chapter Trial Prep with Trial Note Book
April 9	Trial Prep with Trial Notebook
April 16	Trial Readiness/Written examination
April 21	Trial Week (Saturday Morning)
April 26	Review of trials

Class attendance, class participation and pop-quiz 20 Points

Trial notebook 15 Points

Written Exam 20 Points

Trial participation 45 Points

Contact information: email [gslam1@aol.com](mailto:gslam1@aol.com)

Office hours: **IMMEDIATELY** after class by appointment.

If you encounter a problem related to your performance in this class feel free to speak with me about it before it's too late to be resolved. I want you to feel free to participate and voice your opinion on the legal issues and procedures that will be discussed in class. That's how you learn!