

# **CRIMINAL TRIAL ADVOCACY**

## **Spring 2018**

**Judge Judith L. Meyer., B.A., J.D.**  
Adjunct Professor  
Whittier Law School

### COURSE MEETING TIMES AND LOCATION:

Session: Fall 2016  
Times: 6:30 p.m. to 9:00 p.m.

Days: Tuesday Evening  
Location: Room 3

### CONTACT INFORMATION:

Phone: (562) 256-1488  
(818) 599-4519

Email: [professorjudymeyer@yahoo.com](mailto:professorjudymeyer@yahoo.com)

### OFFICE HOURS:

By appointment in the ½ hour before class and after class.

### COURSE DESCRIPTION:

Analyze the components of a criminal trial and prepare the student for conducting a criminal jury trial.

### LEARNING GOALS:

Upon successful completion of the course, students should be able to:

- A. Identify the components of a criminal jury trial.
- B. Know how to perform jury selection, opening statement, direct and cross examination and closing statement.
- C. Feel confident when walking into a criminal trial courtroom on how to conduct one's self during a trial

### REQUIRED RESOURCES:

#### 1. Required Reading Materials

a) *The Art & Science of Trial Advocacy*, by: L. Timothy Perrin, H. Mitchell Caldwell, & Carol A. Chase, Anderson Publishing Company

b) *The Art & Science of Trial Advocacy – Case Supplement*

## LEARNING ACTIVITIES:

1. Attendance and Class Participation – All students are expected to come to class each night prepared to discuss the assigned readings and participate in class exercises. In each class, any student can expect to be called upon to lead the discussion on one or more of the readings and to answer questions posed by the professor and other students. Class participation will count toward the final grade in the class. For this reason, attendance is mandatory. Only one (1) unexcused absence will be tolerated. Two or more unexcused absences may result in a student receiving a failing grade in the course. Students are warned that the quantity of class participation is not determinative of a student's ability to earn credit for class participation; rather, the *quality* of participation is also taken into account.
2. Readings Assignments – Unless otherwise specifically assigned, reading assignments are taken from the required resources specified above. The reading assignments listed for each class are those readings which a student must complete *before* the class in order to be prepared for class that week.
3. Exam – There will be no formal final exam. Your course grade will be made up of class participation, demonstrating you have read the material and participation in class performances as well as the final mock trial.

## FINAL COURSE GRADES:

Students will receive a Pass or Fail grade.

A Pass Grade will be based upon the following criteria: Work demonstrates a mastery of the subject matter for the college level. Meets all course expectations promptly. Shows reasonable grasp of concepts and demonstrates ability to synthesize materials from both inside and outside the classroom. Participates regularly and enthusiastically in classroom.

A Fail Grade will be based upon the following criteria: Work below that which one would normally expect from a student at this level of a college career. Performance fails to demonstrate a reasonable grasp of the material for the college level. Student fails to participate appropriately in class. Alternatively, regardless of the quality of a student's work, this grade may be assigned for failure to comply with the attendance and participation policy for the course.

## ATTENDANCE POLICY:

1. Unexcused Absences – As stated above, attendance is mandatory and participation in each class session is expected since attendance and participation count towards the final course grade. Only one unexcused absence will be tolerated by the professor; two or more unexcused absences may result in a student receiving a failing grade.
2. Emergency Excused Absences – If you are seriously ill or you are injured in a manner that prevents you from attending class, you should email me to let me know that you are sick or injured and are therefore unable to attend class. The same is true if the death, injury, or serious illness of an immediate family member. If you cannot let me know

before class, you must inform me as soon as possible after the missed class session that you were absent due to one of these emergency situations. Please be advised that for absences based on an emergency situation to be excused, you may be required you to submit corroboratory documentation, such as a note from a physician documenting the illness or injury (notes from family members will not suffice), a death certificate or other form of proof of a family member's death, etc.

4. Planned Excused Absences – When any of the following three reasons directly conflict with class meeting times, students are responsible for informing the professor of the reason for the absence at least one week in advance of the absence:
  - a) religious reasons (California Education Code § 89320);
  - b) jury duty or similar governmental obligation (a copy of the summons or other official paperwork must be provided); and
5. Other Absences – Absences of any type not outlined above will not be considered excused absences. Students are expected to attend and participate in all class sessions. Thus, during the semester, students should not make any family, travel, or vacation plans that conflict with their course attendance responsibilities.
6. Make-Up Work – If a student misses class for one of the reasons warranting an excused absence, it remains the student's responsibility to make arrangements to obtain copies of the class notes from a fellow student and to otherwise make arrangements with the professor to make-up any missed work.

#### SPECIAL LEARNING NEEDS:

Students with special, diagnosed learning needs should arrange to meet their professors at the earliest possible time to arrange for reasonable accommodations for their learning needs. Please be advised that it is the student's responsibility to notify me in advance of any need for accommodation of a disability that has been verified by the University.

#### ADDITIONAL INFORMATION:

1. Please ***turn off all cell phones and pagers before class begins***. While the professor understands that sometimes people forget to do so, it is unacceptable to actually *use* a cell phone during class. Students who talk on their phones during class or who text-message while in class may be banished from class, and for repeated violations may be failed.
2. No individualized "extra-credit" work will be permitted.
3. This course does involve lecture, as well as in class – live presentations by the students. Students will be expected to stand in front of class and perform opening statements, direct examination/cross examination & closing arguments. A failure to perform can result in a failing grade.

**COURSE SCHEDULE & ASSIGNMENTS:**

<b>CLASS/DATE</b>	<b>TOPIC</b>	<b>READING ASSIGNMENT:</b>
1. Tuesday – 1/9/18	Introduction to Advocacy Lecture Anatomy of Criminal Case: Case Development Lecture Motions Lecture	Chapter 1 Pgs. 1 – 30 Outline/Lecture Chapter 2 Pgs. 31 – 46 Chapter 3 Pgs. 47 – 69
2. Tuesday – 1/16/18	Cancelled	
3. Tuesday – 1/23/18	Jury Selection Lecture Opening Statement Lecture	Chapter 4 Pgs. 73 – 125 Chapter 5 Pgs. 129 - 172
4. Tuesday – 1/30/18	Jury Selection Performances Opening Statement Performances	
5. Tuesday – 2/6/18	Jury Selection Performances Opening Statement Performances	
6. Tuesday – 2/13/18	Direct Examination Lecture Exhibits Lecture Trial Objections Lecture Cross Examination Lecture	Chapter 6 Pgs. 175 – 244 Chapter 7 Pgs. 245 – 291 Chapter 9 Pgs. 341 – 368 Chapter 8 Pgs. 293 – 340
7. Tuesday – 2/20/18	Direct & Cross Examination Performances	
9. Tuesday 2/27/18	Direct & Cross Examination Performances	
8. Tuesday – 3/13/18	Expert Witnesses Lecture Closing Argument Lecture	Chapter 10 Pgs. 369 – 447 Chapter 12 Pgs. 449 – 499
9. Tuesday – 3/20/18	Closing Argument Performances	
10. Tuesday - 3/27/18	Closing Argument Performances	
11. Tuesday – 4/03/18	Final Trial – In Whittier Courtroom	
12. Tuesday – 4/10/18	Final Trial – In Whittier Courtroom	
13. Tuesday – 4/24/18	Final Trial – In Whittier Courtroom	
14. Tuesday - 5/1/18	Final Trial – In Whittier Courtroom	