

CRIMINAL TRIAL PRACTICE (758)

SYLLABUS

CHARLESTON SCHOOL OF LAW
FALL 2021

Instructor: Adjunct Professor David M. Pascoe
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Classroom: B-219
Tuesdays from 5:15 p.m. to 7:45 p.m.

Text Materials

(1.) South Carolina Rules of Evidence-- Each student is responsible for reviewing and knowing the rules applicable for each class.

(2.) South Carolina Rules of Criminal Procedure-- Each student is responsible for reviewing and knowing the rules applicable for each class.

Course Overview and Expectations

Welcome to Criminal Trial Practice. This is a 3 credit hour course, which means that in addition to attending classes, students should plan to spend at least 2 hours each week in the fall semester preparing for class. This skills course will walk students through the entire criminal trial process. The goal of the course is to prepare students who have an interest in pursuing a career as a criminal defense attorney or as a prosecutor. The course will be part lecture and part practice, with the emphasis on practice. Students will engage in simulations of voir dire and jury selection, opening statements, direct and cross examinations, objections, as well as learn how to conduct oneself with the proper courtroom etiquette expected of an attorney. During this trial advocacy course students will learn techniques to become an effective prosecutor and criminal defense attorney by trying cases and watching your peers do the same.

Students will also play the roles of witnesses and evaluators in mock criminal trials. This requires students to read case scenarios, think through potential issues and trial strategy, and execute these roles in class. Each student will receive individual feedback from the instructor on their skills and performances.

Attendance

The attendance policy for Charleston School of Law is that no student may miss more than **15 percent** of the class meetings in any course. A student who is tardy or who exits class early may, at the discretion of the Professor, be marked as absent. If a student exceeds this limit, the student shall not be permitted to receive a passing grade, absent a waiver of sanctions by the academic dean. For courses that meet once a week, students may not miss more than two class periods during the semester.

Attendance for all classes is mandatory and involves the participation of each class member in discussions and exercises. Any absence, tardy, or early exiting from class, other than unexpected emergencies or illness, must be approved in advance by the instructor.

Americans with Disabilities Act

The law school complies with the ADA and provides reasonable accommodations to students with documented disabilities for testing, which includes any timed assessment that has an impact on a student's final grade; this does not apply to assignments which allow students eight or more hours to complete the assignment. Students with disabilities should contact the Associate Dean for Academic Affairs as soon as possible to request reasonable accommodations should those accommodations be desired.

Grades

This is a pass/fail graded course based on class participation and a final mock trial.

The method is as follows:

Class Participation & Performance	50%
Final Mock Trial	50%

Class Schedule

<u>Week 1:</u> (Lecture) (8/17/21)	<ul style="list-style-type: none">• Course Overview• A suspect has been picked up for questioning. Issues for Prosecutor and Defense Attorney.
<u>Week 2:</u> (Lecture) (8/24/21)	<ul style="list-style-type: none">• Defendant has been arrested• Rule 5• Pre-trial issues, motions & trial preparations• Evidence & Objections
<u>Weeks 3&4:</u>(Lecture) (8/31/21) (9/7/21)	<ul style="list-style-type: none">• Jury Selection• Opening Statement• Trial Exhibits• Direct-Examination• Cross-Examination• Closing arguments
<u>Week 5:</u> (9/14/21)	<ul style="list-style-type: none">• Video• Opening Statements (class exercise)
<u>Week 6:</u> (9/21/21)	<ul style="list-style-type: none">• Direct-Examination (class exercise)• Cross-Examination
<u>Week 7:</u> (9/28/21)	<ul style="list-style-type: none">• Closing Arguments (class exercise)
<u>Week 8:</u> (10/5/21)	<ul style="list-style-type: none">• Lecture and pass out Mock Trial material
<u>Remaining Weeks:</u> class on October 12 (Fall Break).	<ul style="list-style-type: none">• Lectures and working on Final Mock Trial - - No

(Date of Final Mock Trial TBD)

