TRIAL ADVOCACY I CRIMINAL SECTION

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Fall 2021

CLASSROOM

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CLASS MEETING

Wednesdays from 5:30 to 8:20 p.m

TEXT MATERIALS

ALABAMA RULES OF CRIMINAL PROCEDURE,
ALABAMA RULES OF EVIDENCE

COURSE REQUIREMENTS/ATTENDANCE

Attendance for all classes is mandatory as required by the Trial Advocacy Program. This course involves the participation of each class member in discussions and exercises.

Any absence from class, other than unexpected emergencies or illnesses, must be approved in advance by the instructor. Any unexcused absence will result in the lowering of the student's grade.

If a student finds it necessary to miss a class, that class must be made up by attending another instructor's class and notifying me of the date and time of attendance.

GRADING

This course is a Pass/D/Fail course. The instructor therefore has three options. While students expect and generally do in fact receive a grade of pass in this course, a D or failing grade will be awarded to students who are absent from class without permission; who fail to perform an assigned exercise; or who show a general lack of participation in class activities.

COURSE METHODOLOGY

The methodology for this course will be a mixture of lecture, discussion, demonstration (both live and videotape) and simulated skills exercises. Students will be expected to be actively involved in each week's class.

Exercises for this semester will be drawn primarily from case file handouts.

This class will be divided into trial teams. Each team will represent either the Defendant or the State of Alabama. THE TIME LIMITS INVOLVED MUST BE ADHERED TO STRICTLY. SERVICE WILL BE DEEMED COMPLETED WHEN SERVED UPON THE OPPOSING TEAM BY PLACING A COPY IN THEIR LAW SCHOOL BOX OR SERVING BY EMAIL, AND DELIVERING A COPY TO ME VIA EMAIL.

WEEK ONE: AUGUST 16, 2021

Introduction to Course: Explanation of attendance policy.

WEEK TWO: AUGUST 23, 2021

Reading Assignment: Rules 1, 2, 3, and 4 of the ALABAMA RULES OF CRIMINAL PROCEDURE

Class Discussion: Overview of Criminal Justice System

WEEK THREE: AUGUST 30, 2021

Reading Assignment: None

Class Discussion: Techniques for interviewing clients and witnesses.

WEEK FOUR: SEPTEMBER 6, 2021

Reading Assignment: None

Class Exercise: Interviewing - Victims and Witnesses to be provided.

Lecture: Preliminary Hearings and Investigation in Criminal Cases

WEEK FIVE: SEPTEMBER 13, 2021
Reading Assignment: Rules 5, 6, 7 ALABAMA RULES OF CRIMINAL PROCEDURE

Class Discussion: Grand Jury process and indictments
Guest speakers

Class Exercise: Prepare Indictments to be handed in next week.

WEEK SIX: SEPTEMBER 20, 2021
Reading Assignment: (1) Rules 4 and 7 of the ALABAMA RULES OF CRIMINAL PROCEDURE (preferably from Justice Maddox's annotated version) (2) State v. Dutell 596 So2d 624 (Ala. Crim. App. 1991) (3) Sections 15-13-1, 2 and 3 (right to bail); ***Read Ex Parte Patel, 879 So.2d 532 (2003)***

Lecture: Arrest and Bail Consideration, including capital cases.

WEEK SEVEN: SEPTEMBER 27, 2021
Reading Assignment: Rules 14.1, 15 (15.1 through 15.6), 16 of ALABAMA RULES OF CRIMINAL PROCEDURE

Lecture: Motions to Suppress; Motions in Limine; Discovery

Class Assignment: Prepare Motion for Discovery

WEEK EIGHT : OCTOBER 4, 2021
Class Exercise: Motions to Suppress Evidence

WEEK NINE : OCTOBER 11, 2021
Reading Assignment: Read Rule 11 of the ALABAMA RULES OF CRIMINAL PROCEDURE

Lecture: Mental Evaluations / Mental Illness

WEEK TEN : OCTOBER 18, 2021
Lecture: Youthful Offender Hearings; Probation Hearings

WEEK ELEVEN: OCTOBER 25, 2021
Lecture Sex Offenses and SORNA

WEEK TWELVE: NOVEMBER 1, 2021
Lecture: Plea bargains / Sentencing / Alternative Sentencing / Deferred Prosecutions

WEEK THIRTEEN: NOVEMBER 8, 2021
Prepare to discuss settlement for case, including probation issues

WEEK FOURTEEN: NOVEMBER 15, 2021
Guest Speakers: Probation Officer; Court Referral Officer; Alternative Sentencing

WEEK FIVETEEN: NOVEMBER 22, 2021
Class Assignment: Loose ends

ALL ASSIGNMENTS ARE SUBJECT TO CHANGE