

WESTERN STATE COLLEGE OF LAW
At Argosy University
PRETRIAL CRIMINAL LITIGATION 518A

Adjunct Professor: Cameron Talley
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Room 405 Wednesday 6:30 – 9:30 pm

REQUIRED TEXT

1. Trial Advocacy, Berger, Mitchell, Clark
2. Evidence, Berger Mitchell, Clark

COURSE OVERVIEW

The purpose of this course is two-fold: to develop student's courtroom skills for pretrial advocacy, and to educate students to the strategies of pretrial advocacy. The course will be more than simply a discussion of texts. It will provide lectures and guest speakers (including prosecutors, defense attorneys, and judges) who will provide insights into pretrial advocacy. Students will also participate in a mock preliminary hearing, and other pre-trial negotiation hypotheticals.

GRADES

Grading will be structured as described below.

Tests regarding material and lectures 50%

Written Motions 25%

Oral Motions 25%

*Extra Credit will be available

CLASS ATTENDANCE AND PARTICIPATION

Attendance and participation are required for all classes. Students may be absent for no more than two (2) class periods. Students who miss more than two (2) classes will be dismissed from the class and receive and will receive a “0” for the course. See the WSCL Attendance Policy, reprinted in the Student Handbook

You must be prepared to meaningfully participate in each class. In order to do so you must have completed the reading assignment due for that class, and be prepared to participate if called upon to participate in trial simulation scenarios that will be a part of each class. Additionally, of course, you must know the material thoroughly in order to participate in the complete mock motions.

Pre-Trial Litigation Schedule: Wednesdays, 6:30 – 9:30

September 25 Introduction to the Course. Chapters #1 and #2 Pretrial Advocacy. (Emphasize pages 11-14, Progression of a Criminal Case.)

October 2 Philosophy of Criminal Pre-Trial Advocacy: Antigone / Participation in Hypotheticals.

October 9 Guest Lecturer (A prosecutor, defense attorney, or judge) Chapters #6 and #7 Evidence.

October 16 Writing a Brief. Chapter #7 Pretrial Advocacy plus Chapter #3 Evidence

October 23 Guest Lecturer (A prosecutor, defense attorney, or judge). Participation in Hypotheticals.

October 30 Grand Jury Indictments / Preliminary Hearing, Attorney-Client Relationship. Chapters #3 and # 4 Pretrial Advocacy

November 6 (Brief Due) Witness Interviewing / Guest Speaker. Chapters #5 and #6 Pretrial Advocacy

November 13 negotiating a disposition. Chapter #12 Pretrial Advocacy

November 20 Argue a Mock Preliminary hearing

November 27 Argue a Mock Preliminary hearing

December 11 FINAL EXAM (last day of class)