

**Criminal Law Externship Seminar 521B**  
**FALL 2020**  
**Tuesdays 4:00 PM -6:00 PM**

Professor Robert Molko

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| DATE                  | SUBJECT/SPEAKER   | ASSIGNMENT FOR CLASS  |
|-----------------------|---|---|
| 1. August 25, 2020    | Introduction; Course Requirements<br><b>Motion Assignment #1 handed out</b> | Introduction  |
| 2. September 1, 2020  | Hardcopy and Electronic Research Review Librarian Sarah Eggleston           | <b>Bring your laptop to class</b>   |
| 3. September 8, 2020  | Senior Deputy Public Defender Michael Becker<br>Law & Motions and Appeals   |   |
| 4. September 15, 2020 | TBD   |   |
| 5. September 22, 2020 | TBD   | <b>Motion #1 due</b>  |
| 6. September 29, 2020 | <b>Motion Assignment #2 handed out</b>                                      | <b>Journal #1 due</b><br><b>Deadline for Individual meeting on Motion # 1</b>   |
| 7. October 6, 2020    | <b>Oral argument on Motion #1</b>   | 1 <sup>st</sup> Written Assignment due  |
| 8. October 13, 2020   | TBD   | <b>Midterm Evaluation due</b>   |
| 9. October 20, 2020   | TBD   | <b>Journal #2 due</b>   |
| 10. October 27, 2020  | TBD   |   |
| 11. November 3, 2020  | TBD   | <b>Motion #2 due</b>  |
| 12. November 10, 2020 | TBD   | <b>Deadline for Individual meeting on Motion # 2</b><br><b>2<sup>nd</sup> Written Assignment due</b><br><b>Journal #3 due</b> |
| 13. November 17, 2020 | <b>Oral argument of Motion #2</b>   |   |
| 14. November 24, 2020 | The Death Penalty<br>Assistant DPD Denise Gragg                             | <b>Final evaluations due</b>  |

**9. Requirements for Students in online Zoom Sessions:**

Find a dedicated quiet space to attend Zoom sessions, to minimize the chances that you will be disrupted during the session. **Arrive to class at least 10 minutes early** and **dressed as you would to attend an in-person class**. Come prepared, as you would for an in-person class. **Turn your camera on**. Mute your microphone when you are not speaking. Unmute to speak or to ask or answer questions. If desired, you can use the background settings in Zoom to create an artificial background that blocks the view of your space while still allowing you to be seen on camera. Do not multitask – stay focused on the class discussion – do not wander in and out of the

Zoom session. If you have to miss a Zoom session, or arrive late or leave early, notify the instructor in advance, as you would for an in-person class.

Participation in Zoom classes is no less extensive or required than an in-class session. Zoom classes are not YouTube or Netflix. You should be actively engaged in answering questions, taking notes, writing down questions you wish to ask later during class or during office hours, etc. This will not only help you stay engaged and participating in class, it will also help your learning in the online format.

If you are using your computer to take notes and/or using an e-casebook, remember that you will not necessarily be able to use those apps and watch the Zoom session. Figure out how you will resolve that technological problem before your first class session and consider modifications to your normal note taking style or a two-screen set-up.

If you have connectivity issues, whether it be long-term or short-term, that impact your ability to participate (e.g., if you are limited to dial-in without video), notify your instructor so other accommodations can be explored.

You should be in your seat at the commencement of class. It is fairly inconsiderate (not to mention unprofessional) to walk in late. Similarly, you should not leave until the end of class. If you have an emergency that causes you to have to leave during the class, please do so unobtrusively. If you have a disability which prevents you from remaining in your seat during the class, please contact the Dean of Students.

Zoom has a number of tools available to you as a student: yes/no symbols, raise hand and thumb icons, share screen (with permission of the instructor), chat windows, etc. Please familiarize yourself with those tools before class so that you can use them as requested by the professor. Your instructor will inform you about the ways in which you should use these tools in that particular class.

Do NOT share or post any part of the Zoom session on any other media including social media such as Facebook, YouTube, etc..

### **A. Expectations and Learning outcomes**

It is expected that you will spend an average of four hours a week outside the classroom for this seminar. This will include the research, writing and preparation for oral argument on the two assigned motions, as well as the journal entries. All the work on the motions must be original as an individual without any assistance from anyone else, and without copying or cutting and pasting any part of any motion from any brief bank at your field placement or anywhere else. Your journal entries should include reflection of all your experiences including the ones at your field assignment, the speaker presentations and the tours.

Throughout the semester, you will be exposed to presentations on specialized areas of the criminal law practice as well as related ethical issues. This class and the associated criminal externship placement experience will improve your research skills, your analytical skills, your writing skills and your oral presentation skills. You will be better prepared to actually practice criminal law by the end of this class.

## **B. Western State College of Law – Programmatic Learning Outcomes**

**Western State College of Law’s curriculum is designed so that every student achieves a level of competency prior to graduation in each of the eight Programmatic Learning Outcomes listed below:**

### **(1) Doctrinal Knowledge**

Students will demonstrate knowledge of substantive and procedural law in the core curriculum subjects, including Contracts, Criminal Law, Criminal Procedure, Torts, Real Property, Business Association, Evidence, Civil Procedures, Constitutional Law, Estates, Community Property, Remedies, and Professional Responsibility.

### **(2) Practice Skills**

Students will demonstrate the development of other law practice skills. Each student’s chosen outcomes within this category will be varied based on the student’s particular interests, coursework and work experiences. They may include, but are not limited to, the following topics: oral presentation and advocacy; interviewing; counseling; client service and business development; negotiations, mediation, arbitration, or other alternate dispute resolution methods; advanced legal research and writing (excluding purely academic papers and the first four units earned in introductory first-year legal research and writing class); applied legal writing such as drafting contracts, pleadings, other legal instruments; law practice management or the use of technology in law practice; cultural competency; collaboration or project management; financial analysis, such as accounting, budgeting project management, and valuation; cost benefit analysis in administrative agencies; use of technology, data analyses, or predictive coding; business strategy and behavior; pre-trial preparation, fact investigation, such as discovery, e-discovery, motion practice, assessing evidence, or utilizing experts; trial practice; professional civility and applied ethics; a law clinic that includes a classroom component; or a legal externship that includes a classroom component.

### **(3) Legal Analysis**

Students will demonstrate the ability to identify the factual and legal issues implicated by a fact pattern and to appropriately use cases (including identifying the salient features of an appropriate precedent case, identifying legally significant similarities or differences between the precedent case and a fact pattern and explaining why those are legally significant) and rules (including the ability to connect legally significant facts in a fact pattern to the rule) to predict how a court would decide the issue. Students will also demonstrate the ability to identify and evaluate the public policies of a precedent case or rule, and be able to evaluate how public policy can impact the application of a rule to the legal issue.

### **(4) Legal Research**

Students will demonstrate the ability to locate relevant legal authority using a variety of book and electronic resources, and to properly cite to such legal authority.

**(5) Communication**

Students will demonstrate the ability to communicate both orally and in writing in a manner appropriate to a particular task to effectively convey the author or speaker's ideas. This includes audience sensitivity in written and oral communication (the ability to adopt a tone, style and level of detail appropriate to the needs, knowledge and expertise of the audience); and written communication basic proficiency (the ability to use the conventions of grammar, spelling, punctuation, diction and usage appropriate to the task and sufficient to convey effectively the author's ideas).

**(6) Advocacy of Legal Argument**

Students will demonstrate the ability, in both oral and written formats, to evaluate the legal, economic and social strengths and weaknesses of a case and use case and statutory authority as well as public policy to persuade others. Making policy-based arguments includes the ability to identify and evaluate the public policies of a precedent case or rule and their implications, and be able to assert such appropriate arguments to support a particular application or distinction of a precedent case to a legal controversy or a particular resolution of the application of a rule to the legal controversy.

**(7) Client Sensitivity and Cultural Competency**

Students will demonstrate an awareness of clients' needs and goals, including a sensitivity to clients' background and circumstances (including, but not limited to, socio-economic, gender, race, ethnicity, educational, disability and/or religious background(s)), the ability to make decisions that reflect an appropriate focus on those needs and goals, and awareness that cultural issues may affect the relevance of facts and application of the law.

**(8) Legal Ethics**

Students will demonstrate the ability to identify ethical issues in law practice contexts and make appropriate decisions to resolve such issues.

**D. Disability Services Statement:**

Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the

Students Services suite #111. Dean Espinoza's phone number and email address are: (714) 459-1117; [despinoza@wsulaw.edu](mailto:despinoza@wsulaw.edu). When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Dean Allen Easley at [aeasley@wsulaw.edu](mailto:aeasley@wsulaw.edu) or (714) 459-1168. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."