POLS 304: Judicial Simulation  
Prerequisite: POLS 122 or permission of instructor  
Mondays 3:00-5:30  
Morgan Hall 316

Professor: Kimberly J. Rice, Ph.D.  
Office Location: Morgan Hall 428  
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Office Hours: Mondays and Wednesdays 12:00-1:00 and 2:00-3:00; Fridays 2:00-3:00  
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Course Description and Goals

This is a course in judicial simulation that will take students through the preparation of a mock trial case. Students will develop opening statements, closing arguments, witness testimony with direct, cross, and redirect examination. Students will learn about the entering of evidence and expert testimony. Much of this course is focused on the oral presentation of trial elements. Each student will have the opportunity to be an attorney and a witness, should they choose. The goals of this course are to engage students in trial procedure through simulation and to develop critical analysis, writing, and oral presentation skills. By the end of the semester the entire class will be prepared to demonstrate both sides of a mock trial case in its entirety.

Required Readings

Articles and chapters will be made available on Western Online and through WIU Libraries Databases. Given that this course requires extensive group work outside of class, readings will be limited. The case itself is over 150 pages, so do not take the lack of an assigned text to mean there will be no reading.

Recommended Text


*This text is becoming increasingly difficult to find and has increased in price as well; however, it is recommended that those new to mock trial read this short text in the first few weeks of the course. Copies can be borrowed from former members or from the professor and students are encouraged to pool resources and share one text.*

Expectations

I expect all students to behave as professionals. Any student who is disruptive will be asked to leave. This includes such things as reading the newspaper, talking during lecture or being disrespectful to the instructor or other students. Students are expected to arrive on time, complete all work including readings, and ask early and often if you need additional assistance. *Late work will not be accepted* nor will make-up exams be given without a legitimate excuse. I reserve the right to impose grade deductions up to 15 points per day for late work if necessary. You are expected to contact me as soon as possible if you need an extension on an assignment. As this is a simulation course, attendance is critical to success as is timely arrival to class.
Special Needs

In accordance with University values and disability law, students with disabilities may request academic accommodations where there are aspects of a course that result in barriers to inclusion or accurate assessment of achievement. To file an official request for disability-related accommodations, please contact the Disability Resource Center at 309-298-2512, disability@wiu.edu or in 143 Memorial Hall. Please notify the instructor as soon as possible to ensure that this course is accessible to you in a timely manner.

For me to provide the proper accommodation(s) you must obtain documentation of the need for an accommodation through the Disability Resource Center and provide it to me. It is imperative that you take the initiative to bring such needs to my attention, as I am not legally permitted to inquire about such particular needs of students. Students who may require special assistance in emergency evacuations (i.e. fire, tornado, etc.) should contact me as to the most appropriate procedures to follow in such an emergency. Contact the Disability Resource Center at 298-2512 for additional services.

Course Requirements and Grading:

Details for each assignment will be given in class and via email. Most of these assignments are oral, in class presentations. Separate instructions will be distributed for each graded portion. As we move through the case preparation, assignments are subject to change, but the instructor will always inform via email and in class of any changes to assignments.

As this is a simulation course, attendance and active participation are crucial; thus, these will count for 20% of your final grade. Opening Statements and Written Questions will be written assignments that will also be presented orally to the class and will account for 10% each of your final grade. The first, the opening statement, will be a five minute presentation of a previously written opening statement. The second, the written questions assignment, will be students’ first opportunity to present a direct examination of a witness. The Evidence Quizzes will test knowledge of the rules of evidence governing trial procedure as well as the relevant case law for the case. There will be five total quizzes that will account for 25% of your grade. As the presentation of the case must ultimately be done without the use of notes, 20% of your grade is reserved for your ability to be off notes by the dates noted in the syllabus. The final exam will be held during our final exam period and will count for 15% of your grade. Final exams will test your knowledge of the case, rules of evidence, relevant case law, and individual knowledge of the roles you have adopted throughout the semester.

All assignments and exams will be graded out of 100 points and individual assignment grades will be posted on Western Online.

Attendance & Participation 20%
Opening Statement Assignment 10%
Written Questions Assignment 10%
Evidence Quizzes 25%
Off Notes Assignments 20%
Final Examination 15%

Grading Scale – all grades will be out of 100 and then weighted according to the percentages above.

100-93 A  87-83 B  77-73 C  67-63 D
Academic Integrity

I take the possession of “intellectual property” extremely seriously, as does the University. As such, no form of academic dishonesty will be tolerated. You are expected to acquaint yourself with the university’s Student Rights and Responsibilities and Academic Integrity Policies, which are available at the following URLs:

http://www.wiu.edu/provost/students/ http://www.wiu.edu/policies/acintegrity.php

Anyone caught cheating or in violation of the academic integrity policy will be subject to punishment under the guidelines laid out by the policy.

You can also visit http://www.indiana.edu/~wts/pamphlets/plagiarism.shtml for more details and an excellent discussion of what constitutes plagiarism. “I didn’t know” will not be a valid excuse. There should be no need for external sources in this course; however, should you ever consult an outside source I fully expect you to cite properly and consistently and to contact me should you have any questions regarding citation.

Writing Center

The University Writing Center is available to assist you with general and specific questions on writing assigned in any discipline and at any academic level. It is a great resource for students who need one-on-one assistance with writing. The University Writing Center is located in Simpkins Hall 341. Call for an appointment (298-2815).

Course Schedule / Reading Assignments

I reserve the right to make changes to schedule as needed, but no additional work or reading will be assigned. Students will be informed of any changes via email and in class.

8/24
Introduction to class and the American Mock Trial Association
Trial DVD – watch with commentary and take notes!!!

8/31
Finish Trial DVD - Previous participants – describe how to make a case binder

9/7
NO CLASS – LABOR DAY
These are the rules that govern the competitions so make sure to read them
2. Make your case binder
3. Set up group meeting(s) to read through case – everyone needs to read case fully this week – it is better to do this in groups.

9/14
Opening Statements and Case Themes
Opening Statement Assignments Given Out
Previous Participants – go over the different parts of opening statements (i.e. telling the story, discussing charges, witness lineup) – work in groups on themes and opening statements

9/21
Also read in depth the case law that is provided – this will be used with the rules of evidence
Previous Participants – go over rules of evidence with new folks and the cases and discuss how they relate to each witness’s testimony – focus on the topics as listed under the evidence quizzes.

9/28
Direct Examination, Rules of Evidence, Entering Evidence
Previous Participants – help new members to work on direct examinations within the bounds of the rules of evidence, and demonstrate how to enter evidence. This could be a good place to use the worksheets Tanner created.

10/5
OPENING STATEMENT PRESENTATIONS
Evidence Quiz 1 – Relevance, Speculation, More Prejudicial Than Probative

10/12
WRITTEN QUESTION ASSIGNMENTS HAND IN
Direct testimony cont’d - go over written questions in teams and then hand in Evidence Quiz 2 – Lay Witness versus Expert Witness and Character Evidence

10/19
Cross Examinations and Closing Statements
Evidence Quiz 3 – Hearsay

10/26
CASE PRESENTATION I
These next four meetings will allow us to go through and polish the case presentations in full; I anticipate only getting through half the case each meeting as we will be stopping often to correct issues of presentation and evidence.

11/2
CASE PRESENTATION I (cont’d)

11/9
CASE PRESENTATION II
Evidence Quiz 4 – Case Law 1

11/16
CASE PRESENTATION II (cont’d)
Evidence Quiz 5 – Case Law 2

11/23
NO CLASS - THANKSGIVING BREAK

11/30
OFF NOTES DAY 1
We will present the case in full without notes; there will be minimal stopping so each person has an opportunity to demonstrate that they are off notes

12/7
OFF NOTES DAY 2
Teams will switch sides and present the case in full again without notes
Final Exam: Wednesday December 16th 3:00-4:50 in our regular classroom