

T D C A A

Advanced Trial Advocacy Course

Intoxication Manslaughter

Baylor Law School in Waco

July 24-28, 2023

22 hours of MCLE credit, including 1 hour of ethics

RETURN SERVICE REQUESTED

Austin, TX 78701

505 W. 12th St., Ste. 100

Texas District & County Attorneys Association

PERMIT NO. 1557

AUSTIN, TEXAS

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Advanced Trial Advocacy Course Information

TDCAA's Advanced Trial Advocacy Course is designed for prosecutors with at least three to five years of trial experience who want to prepare and participate in a hands-on course to increase their effectiveness in trial. Upon acceptance, all participants will receive a detailed packet of instructions and a felony case scenario that will form the basis of the presentations, faculty demonstrations, workshops, and courtroom performances. Each participant is responsible for the entire case scenario, although individual performances may involve only a particular aspect of the case. Upon arrival, participants will be assigned to one of the law school's practice courtrooms with a smaller group of eight participants and experienced faculty advisors who will guide the group discussions and provide critiques of each participant's live and recorded performances. This year, participants will focus on an intoxication manslaughter case to learn how to address many of the challenges stemming from these types of cases.

Attendance: Attendance is limited to 32 prosecutors. All applications must be received by **June 23**. No walk-in registrations will be accepted under any circumstances. Upon acceptance, participants will receive confirmation, informational packets, and detailed felony case scenarios via email. Advance preparation and full-week participation are required. Applicants who are not accepted for this course will be put on a waiting list and have first priority in case of cancellations. **Any attendee substitutions must be submitted to and approved by TDCAA.**

Registration and fees: There is no fee for attending this course. TDCAA will pay for the hotel and reimburse your travel at the current GSA rate. Participants will receive a per diem reimbursement, also at the current GSA rate, for meals, which are on your own. All participants will stay at the Hilton Waco, 113 S. University Parks Dr., in Waco, TX 76701. Classes are a short drive to the Baylor University Law School, which is located at 1114 South University Parks Drive, Waco, TX 76706. **Upon acceptance, TDCAA will make hotel reservations for all participants. Do not call the hotel directly.** Rooms are reserved beginning Sunday, July 23, with departure on Friday, July 28. If you do NOT need the hotel room on Sunday night and plan to check in Monday instead, please let meeting planner Andie Peters know by replying to your initial acceptance email from us. All incidental expenses, including room upgrades, double occupancy, room service, movie rentals, etc., are your own.

Attire: On Monday, Tuesday, Wednesday, and Thursday, courtroom attire is required. On Friday, business casual dress is acceptable.

CLE: TDCAA has applied to the State Bar of Texas for 22 hours of MCLE credit, including 1 hour of ethics training for participation in this course.

Registration for this course and other information is at tdcaa.com.

This program is funded by a grant from the Texas Court of Criminal Appeals, the Texas District and County Attorneys Association, and the Texas District and County Attorneys Foundation.

Advanced Trial Advocacy Course Agenda

Monday, July 24 (courtroom attire)

9:00 a.m. Registration Opens
(W. Clay Abbott, TDCAA DWI Resource Prosecutor, will be available for questions about the case file, and faculty will be available in their assigned courtrooms.)

10:00 a.m. Welcome & Course Introduction
10:15 a.m. Charging Decisions: How to Choose the Right Indictment
11:00 a.m. Crash Reconstruction & Using Your Expert Witness
Noon Lunch (on your own)
1:30 p.m. Crash Reconstruction (cont'd)
3:15 p.m. Jury Selection
4:15 p.m. Performance: Jury Selection
Adjourn At the end of the exercise

Tuesday, July 25 (courtroom attire)

9:00 a.m. Building an Intoxication Manslaughter Case
10:15 a.m. Opening Statement Strategies
11:00 a.m. Performance: Opening Statements
Noon Lunch (on your own)
1:30 p.m. DREs and Issues in Drugged Driving
3:15 p.m. Presenting Blood Toxicology
4:45 p.m. Wood-Shedding Witnesses
Adjourn At the end of the exercise
6:30 p.m. Dinner (provided by TDCAA)

Wednesday, July 26 (courtroom attire)

9:00 a.m. Telling Your Story in Trial
10:15 a.m. Performance: Direct Exam
Adjourn At the Conclusion of Direct Exams

Thursday, July 27 (courtroom attire)

9:00 a.m. Dealing With Defense Experts: Crash, Toxicology, & SFSTs
10:15 a.m. Performance: Cross-Examination
Noon Lunch (on your own)
1:30 p.m. Closing Argument in Guilt–Innocence & Punishment
3:15 p.m. Performance: Closing Argument at Guilt–Innocence
4:15 p.m. Performance: Closing Argument at Punishment
Adjourn At the end of the exercise

Friday, July 28 (casual attire)

9:00 a.m. Punishment & Dealing With Victims
10:15 a.m. Best Practices in Groups
11:00 a.m. Ethical Issues in Intoxication Manslaughter Cases: *Brady* & Beyond
Noon Adjourn

TDCAA Registration Form

Advanced Trial Advocacy Course at Baylor Law School

July 24-28, 2023

Application Requirements: For consideration, you must complete this form in its entirety. Incomplete forms will be returned. Please type or print and sign your form. Applications must be received via fax or email by **June 23. Do not do both.** If accepted, applicants will be notified by email and will receive confirmation and information about the course and lodging. This form may be duplicated.

Name _____
Title _____
Current assignment _____
Office address _____
City _____ ZIP _____
Phone _____
State Bar card # _____
Email address _____

1. What is the approximate size of your jurisdiction?
(Check the appropriate box.)

- Less than 20,000 20,000–50,000
 50,001–100,000 100,001–250,000
 250,001–500,000 Over 500,001

2. How many employees are in your office? _____

3. Total years as a prosecutor: _____

4. Total number of trials:

Jury trials:	Bench trials:
_____ misdemeanor	_____ misdemeanor
_____ felony	_____ felony
_____ civil	_____ civil

5. Charges in the last five completed trials as lead attorney (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> domestic violence | <input type="checkbox"/> violent crime |
| <input type="checkbox"/> property crime | <input type="checkbox"/> arson |
| <input type="checkbox"/> juvenile court | <input type="checkbox"/> DWI |
| <input type="checkbox"/> white-collar crime | <input type="checkbox"/> vehicular fatalities |
| <input type="checkbox"/> drug prosecution | <input type="checkbox"/> sexual assault |
| <input type="checkbox"/> child abuse/exploitation | <input type="checkbox"/> computer crime |
| <input type="checkbox"/> other _____ | |

I understand that if I am accepted, my advance preparation and full participation for the week are required.

Signature of applicant

Date

NOMINATIONS MUST BE MADE BY THE ELECTED PROSECUTING ATTORNEY
IN THE APPLICANT'S JURISDICTION.

I nominate _____ for participation in TDCAA's Advanced Trial Advocacy Course.
The information provided in this application is accurate and complete, and the applicant meets the course requirements.

Signature of Elected Prosecutor

(Type or print name)

Date

Phone

We reserve the right to limit the number of attendees from each jurisdiction. Submission of application does not guarantee acceptance.

Use one method to return this form:

Fax: 512/478-4112 or

Email: Brian.Klas@tdcaa.com