

T D C A A

**Advanced Trial Advocacy
Course
Domestic Violence—Strangulation
Baylor Law School
Waco, TX
July 29–August 2, 2019
22 hours of MCLE credit, including 1 hour of ethics**

RETURN SERVICE REQUESTED

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Texas District & County Attorneys Association
505 W. 12th St., Ste. 100
Austin TX 78701

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 videotaped performances. This year, participants will focus on a domestic violence assault by strangulation 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 28, 2019**. No walk-in registrations will be accepted under any circumstances. Upon acceptance, participants will receive confirmation, informational packets, and detailed felony case scenarios via e-mail. 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 45¢ a mile. Participants will receive a \$30 per diem reimbursement for meals, which are on your own. All participants will stay at Hotel Indigo, located at 211 Clay Avenue., 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 28, with departure on Friday, August 2. If you do NOT need the hotel room on Sunday night and plan to check in Monday instead, please let 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.

Advanced Trial Advocacy Course Curriculum

Monday, July 29 (courtroom attire)

- 9:00 a.m. Registration Opens
(Course Director Lisa Stewart will be available for questions about the case file, and faculty will be available in their assigned courtrooms.)
- 10:00 a.m. Welcome and Course Introduction
- 10:15 a.m. Charging Decisions & Other Legal Concerns
- 11:00 a.m. Forfeiture By Wrongdoing & CCP 38.371
- 11:45 a.m. Lunch (on your own)
- 1:15 p.m. Strangulation Investigation & Prosecution
- 3:00 p.m. Jury Selection
- 4:15 p.m. Performance: Jury Selection
- Adjourn At the end of the exercise

Tuesday, July 30 (courtroom attire)

- 9:00 a.m. Anticipating and Dealing with Defenses
- 10:15 a.m. Opening Statement Strategies
- 11:00 a.m. Performance: Opening Statements
- Noon Lunch (on your own)
- 1:30 p.m. Presenting the Case – Strangulation
- 3:15 p.m. Using Experts: Finding or Developing a Domestic Violence Expert
- 4:45 p.m. Wood Shedding Witnesses
- Adjourn At the end of the exercise
- 6:30 p.m. Dinner at Ninfa's Mexican Restaurant
(provided by TDCAA)

Wednesday, July 31 (courtroom attire)

- 9:00 a.m. Using Your Evidence in Direct Examination of Experts
- 10:15 a.m. Performance: Direct Exam and Q&A

Thursday, August 1 (courtroom attire)

- 9:00 a.m. Cross Examination
- 10:15 a.m. Performance: Cross-Examination
- Noon Lunch (on your own)
- 1:30 p.m. Closing Argument and Punishment
- 3:15 p.m. Performance: Closing Argument Guilt/Innocence
- 4:15 p.m. Performance: Closing Argument Punishment
- Adjourn At the end of the exercise

Friday, August 2 (casual attire)

- 9:00 a.m. Domestic Violence and Community Safety
- 10:15 a.m. Ethical Issues in Domestic Violence Strangulation Cases: *Brady* and Beyond
- 11:15 a.m. Best Practices in Groups
- Adjourn At the end of the exercise

The 2019 Advanced Trial Advocacy Course Director is **Lisa Stewart, Asst. District Attorney in Montgomery County**. Curriculum for this course is built around an actual criminal case. As such, attendees are expected to treat case materials with the same professionalism as they would to a case assigned in their home jurisdiction. Faculty for the Advanced Course is comprised of the most capable and skilled prosecutors in Texas—all of whom have shown dedication to teaching and determination to see justice done.

TDCAA Registration Form

Advanced Trial Advocacy Course at Baylor Law School
July 29–August 2, 2019

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 28. 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 # _____
E-mail address _____

Please check if we do NOT have your permission to distribute your e-mail address to course attendees.

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

- | | |
|---|--|
| <input type="checkbox"/> Less than 20,000 | <input type="checkbox"/> 20,000–50,000 |
| <input type="checkbox"/> 50,001–100,000 | <input type="checkbox"/> 100,001–250,000 |
| <input type="checkbox"/> 250,001–500,000 | <input type="checkbox"/> Over 500,001 |

2. How many employees are in your office? _____

3. Total years as a prosecutor: _____

4. Total number of trials:

Jury trials:

_____ misdemeanor

_____ felony

_____ civil

Bench trials:

_____ misdemeanor

_____ felony

_____ 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

Email: Brian.Klas@tdcaa.com