

CRIMINAL TRIAL PRACTICE SCHEDULE

DATE

Tuesday, September 11, 2018

Room 309

READINGS: Levy, Chapters 1, 2, 3, 9, 30, 33 and Tabs 2-5,6, 7-9, 11

Tuesday, September 18, 2018

Room 309

READINGS: Levy, Chapters 4, 5, 10, 23 and Tab 10

Tuesday, September 25, 2018

SPRING GARDEN RD. COURT

READINGS: Levy, Chapter 14 (pp347-378), 17, 25, 27, 29 and Tab 13

Tuesday, October 2, 2018

Room 309

READINGS: Levy, Chapters 7, 8, 11, 12, 13, 24, Tab 6

Tuesday, October 9, 2018

SPRING GARDEN RD. COURT

READINGS: Levy, Chapters 14(pp378-404), 15, 16, 18, 19, 20 and Tab 13

Tuesday, October 16, 2018

Room 309

READINGS: Levy, Chapter 32

Tuesday, October 23, 2018

SPRING GARDEN RD. COURT

READINGS: Tab 12

Tuesday, October 30, 2018

Room 309

Tuesday, November 6, 2018

SPRING GARDEN RD. COURT

READINGS: TAB 14

Tuesday, November 13, 2018

NO CLASS

Tuesday, November 20, 2018

SPRING GARDEN RD. COURT

READINGS: Tab 13

Tuesday, November 27, 2018

THE LAW COURTS

READINGS: Tab 15

Tuesday, December 4, 2018

AGENDA

Introductions, Administrative Issues,
Overview of Course, Advocacy Tips

Panel Discussion on Direct Examination
Demonstration of Direct Examination

Student Exercises

Direct Examination

Panel Discussion on Cross Examination
Demonstration of Cross Examination

Student Exercises

Cross Examination

Panel Discussion of Pre-trial Release (Bail)
Demonstration of Pre-trial Release (Bail)

Student Exercises

Bail Hearing

Panel Discussion of Sentencing/Closings
Demonstration of Sentencing/Closings

Student Exercises

Sentencing

STUDY BREAK

Provincial Court Trials

Supreme Court Trial

IN CLASS (Rm 309) EXAM

LAWS 2046 - Criminal Trial Practice

Schulich School of Law, Dalhousie University

Fall 2018

Tuesdays: 7:00-9:50 p.m.

This class uses lectures and simulated court proceedings, including bail hearings, direct and cross-examinations, sentencings and trials, to develop skills of advocacy and trial preparation. Early trials are heard before Judges of the Provincial Court, and the final case is heard by a Justice of the Supreme Court.

Each student assumes the role of prosecutor, defence counsel and sometime witness on different occasions.

Preparation for classes involves some research in matters of evidence and criminal procedure.

Presentations are discussed at the conclusion of each proceeding for the purpose of providing constructive feedback. Classes are held one night per week during the fall term.

Materials can be found online at Brightspace.

Text: Examination of Witnesses in Criminal Cases (7th edition), Early J. Levy, Q.C., Thomson Reuters Canada Limited, 2016" on reserve at the library.

Grading: Class participation 75%, written examination 25%

It is our sincere hope that you will find this course beneficial in enhancing your knowledge of criminal procedure and your skills as an advocate. A variety of adult education styles, including lectures, demonstrations by the instructors and mock exercises will be used. To maximize your learning experience, we will attempt to keep the atmosphere in the classroom and the court as relaxed as possible.

This course invites participation. Indeed, the bulk of the marking scheme is based on participation in

the exercises and engagement with the material. We will refer to resource material. However, the essence of this course is to permit students an opportunity to hone advocacy and courtroom skills in the criminal law setting.

We encourage open communication and invite you to ask questions and express your thoughts on issues that arise throughout the course. Each year presents a new learning dynamic. We look forward to sharing a positive learning experience. Please feel free to contact any of us should the need arise.

Students with Special Needs/Requests for Accommodation

Student Requests for Accommodation

Requests for special accommodation for reasons such as illness, injury or personal circumstances will require an application to the Law School Studies Committee. Such requests must be made to Associate Dean Michael Deturbide as soon as possible, before a scheduled exam or a deadline for an assignment. Retroactive accommodation will not be provided. Please note that individual professors cannot entertain accommodation requests.

Students may request accommodation as a result of barriers related to disability, religious obligation, or any characteristic under the Nova Scotia Human Rights Act.

Students who require academic accommodation for either classroom participation or the writing of tests and exams should make their request to the Advising and Access Services Center (AASC) prior to or at the outset of the regular academic year. Please visit www.dal.ca/access for more information and to obtain the Request for Accommodation – Form A. Students may also contact the Advising and Access Services Centre directly at 494-2836, or they may contact Associate Dean Michael Deturbide for more information.

Plagiarism

All students in this course must read the University policies on plagiarism and academic honesty referenced in the Policies and Student Resources sections of the

<http://academicintegrity.dal.ca/website>, and the Law School policy on plagiarism, available online at <http://www.dal.ca/faculty/law/current-students/jd-students/academicregulations.html>. Any paper or assignment submitted by a student at the Schulich School of

Law may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the law school, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived.

Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above and should consult with the instructor if they have any questions. Ignorance of the policies on plagiarism will not excuse any violation of those policies.

Judge Alanna Murphy - amurphy@judicom.ca

Mr. Luke Merrimen, Defence Counsel - lukej@merrimenlaw.ca

Ms. Christine Driscoll - Senior Crown Counsel - Christine.driscoll@novascotia.ca

2018 CRIMINAL TRIAL PRACTICE

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