

## Advanced Legal Skills and Professions

PEIMS Code: N1303016

Abbreviation: ADVLSP

Grade Level(s): 11–12

Award of Credit: 1.0

### State Approved Innovative Course

- Districts must have local board approval to implement innovative courses.
- In accordance with Texas Administrative Code (TAC) §74.27, school districts must provide instruction in all essential knowledge and skills identified in this innovative course.
- Innovative courses may only satisfy elective credit toward graduation requirements.
- Please refer to [TAC §74.13](#) for guidance on endorsements.

### Course Description:

*Advanced Legal Skills and Professions* provides students with a foundation to understand the basic mechanics of the U.S. legal system. Building on prior instruction in constitutional issues and the basics of American court systems, this course provides insight into the practical application of the law, as well as civil and criminal procedure, giving students a hands-on opportunity to experience a variety of legal professions. Students will gain an understanding of the attorney-client relationship and the importance of confidentiality, discovery, pretrial motions, jury selection, opening statements, direct and cross examinations, proper use of objections and the rules of evidence, and closing arguments. By conducting elements of a full trial in a mock setting, students will also increase their ability to extemporize appropriately by thinking on their feet. Students will learn how to evaluate a set of facts and mold it into a coherent trial strategy, learning trial practice from the ground floor.

### Essential Knowledge and Skills:

- (a) General Requirements. Students will receive one credit for successful completion of this course. This course is recommended for students in Grades 11-12. Recommended prerequisites: Principles of Law, Public Safety, Corrections and Security, Court Systems and Practices, Business Law, Debate I, or Political Science I.
- (b) Introduction.
  - (1) Career and technical education instruction provides content aligned with challenging academic standards, and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.
  - (2) The Law, Public Safety, Corrections, and Security Career Cluster focuses on planning, managing, and providing legal services, public safety, protective services, and homeland security, including professional and technical support services.

- (3) Advanced Legal Skills and Professions provides students with a foundation to understand the basic mechanics of the U.S. legal system. Building on prior instruction in constitutional issues, this course provides insight into the practical application of the law, as well as civil and criminal procedure, giving students a hands-on opportunity to experience a variety of legal professions. Students will gain an understanding of the attorney-client relationship and the importance of confidentiality, discovery, pretrial motions, jury selection, opening statements, direct and cross examinations, proper use of objections and the rules of evidence, and closing arguments. By actually conducting elements of a full trial, students will also increase their ability to extemporize appropriately by thinking on their feet. Students will learn how to evaluate a set of facts and mold it into a coherent trial strategy, learning trial practice from the ground floor.
  - (4) Students are encouraged to participate in extended learning experiences, such as career and technical student organizations, community events, and other leadership or extracurricular organizations.
  - (5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.
- (a) Knowledge and Skills.
- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to achieve business and industry employability skills standards such as attendance, on-time arrival, meeting deadlines, working toward daily personal/team goals, and ethical use of technology.
  - (2) The student demonstrates communication skills needed to engage a client as part of the pretrial process. The student is expected to:
    - (A) interview a potential client as part of a client-intake process;
    - (B) use communication skills to evaluate body language, such as gestures, verbal tone, and inflection during client meetings;
    - (C) demonstrate interpersonal communication skills; and
    - (D) apply writing skills to formulate effective emails, letters, and contracts with a client.
  - (3) The student explores the legal recourses available to clients to resolve disputes. The student is expected to:
    - (A) evaluate a client in a simulated client consultation;
    - (B) identify and explain ethical obligations to clients;
    - (C) explain the attorney-client privilege and how it applies to others in the law office and courtroom workgroup;
    - (D) explain the various dispute resolution options available, including self-help, plea bargaining, mediation, arbitration, civil action, and criminal action;
    - (E) analyze the feasibility and appropriateness of each dispute resolution option, including monetary factors, time elements, and emotional toll; and
    - (F) draft a recommended course of action plan.

- (4) The student participates in simulation of a case development process. The student is expected to:
  - (A) evaluate the strengths and weaknesses of a client's case;
  - (B) brainstorm and develop the theory *and theme* of the case;
  - (C) compare discovery obligations in criminal and civil matters;
  - (D) develop a discovery plan;
  - (E) draft, respond, and object to requests for production and admissions; and
  - (F) draft, respond, and object to interrogatories.
- (5) The student participates in a mock mediation. The student is expected to:
  - (A) develop a negotiation strategy that aligns with a client's needs (short-term and long-term); and
  - (B) negotiate a favorable resolution for the client.
- (6) The student participates in a mock arbitration. The student is expected to:
  - (A) evaluate the strengths and weaknesses of a client's case;
  - (B) develop a negotiation strategy that aligns with a client's needs (short-term and long-term);
  - (C) analyze the feasibility and appropriateness of completing arbitration or negotiating a settlement; and
  - (D) negotiate a settlement on terms favorable for the client.
- (7) The student participates in a mock pretrial proceeding and a motion practice simulation. The student is expected to:
  - (A) read and analyze statutes and case law to develop legal principles;
  - (B) apply legal principles and precedent to fact patterns;
  - (C) develop legal arguments supported by legal research;
  - (D) prepare counterarguments;
  - (E) write motions and legal memoranda, such as motion to dismiss, motion for summary judgment, or motion in limine; and
  - (F) prepare an oral argument and respond to questions during the presentation of the argument.
- (8) The student participates in mock depositions of witnesses. The student is expected to:
  - (A) prepare a witness for deposition;
  - (B) depose and defend a witness during a deposition; and
  - (C) authenticate documents with witnesses.
- (9) The student participates in a mock jury selection. The student is expected to:
  - (A) research jury questionnaires; and
  - (B) prepare for and conduct voir dire on a pool of potential jurors in a criminal or civil matter.
- (10) The student participates in a mock trial. The student is expected to:

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- (A) compose and deliver opening statements;
  - (B) prepare witnesses for examination at trial;
  - (C) prepare and effectively use demonstrative evidence;
  - (D) compose and conduct effective direct examination of witnesses, including expert witnesses;
  - (E) identify, make, and defend against proper objections to testimony and other forms of evidence;
  - (F) introduce evidence through witnesses;
  - (G) conduct proper impeachment of witnesses;
  - (H) compose and deliver an effective cross examination of a witness; and
  - (I) compose and deliver closing arguments.
- (11) The student participates in a post-trial motion simulation. The student is expected to compose and argue motions, such as motion to set aside the verdict, motion for a new trial, motion for judgment of acquittal, or motion notwithstanding the verdict.
- (12) The student identifies the roles and functions of professions in the legal system and legal industry. The student is expected to:
- (A) identify the career opportunities in the legal system, such as attorney or paralegal, and the legal industry, such as court reporter, electronic discovery firm;
  - (B) explain the duties and responsibilities of professionals in the legal system and legal industry; and
  - (C) explain the relationship among the various professions in the legal system and legal industry.

### Recommended Resources and Materials:

McGraw Hill. (2020). *Street Law: A Course in Practical Law* (10<sup>th</sup> ed.).

Jacobs, T. A. (2003). *They Broke the Law - You be the Judge: True Cases of Teen Crime*. (A. Desetta, Ed.). Minneapolis, MN: Free Spirit Pub.

American Bar Association. Retrieved December 15, 2019, from <https://www.americanbar.org/>

(n.d.). Materials | Texas High School Mock Trial Competition. Retrieved December 15, 2019, from <http://www.texashighschoolmocktrial.com/materials/>

(n.d.). The Articulate Advocate - Texas High School Mock Trial. Retrieved December 15, 2019, from <http://www.texashighschoolmocktrial.com/wp-content/uploads/2015/06/The-Articulate-Advocate.pdf>

(n.d.). Travis County Legal Aid and Pro Bono Services - Justia Texas .... Retrieved December 15, 2019, from <https://www.justia.com/lawyers/texas/travis-county/legal-aid-and-pro-bono-services>

(n.d.). Legal Resources - Austin Bar Association. Retrieved December 15, 2019, from

<https://www.austinbar.org/for-the-public/legal-resources/>

(n.d.). Rules and Policies | United States Courts. Retrieved December 15, 2019, from <https://www.uscourts.gov/rules-policies>

(n.d.). NALA.org. Retrieved December 15, 2019, from <https://www.nala.org/>

(n.d.). State Bar of Texas Paralegal Division. Retrieved December 15, 2019, from <https://txpd.org/>

(n.d.). State Bar of Texas Paralegal Division. Retrieved December 15, 2019, from <https://txpd.org/>

(n.d.). Texas Court Reporters Association Home Page. Retrieved December 15, 2019, from <https://www.tcra-online.com/>

(2019, October 22). Texas Judicial Branch, Court Reporters Certification, Texas Courts. Retrieved December 15, 2019, from <http://www.txcourts.gov/jbcc/court-reporters-certification/>

(n.d.). How to Become a Jury Profiler | Chron.com - Work - Chron.com. Retrieved December 15, 2019, from <https://work.chron.com/become-jury-profiler-20736.html>

(n.d.). Use of Jury Consultants - Courts - USLegal. Retrieved December 15, 2019, from <https://courts.uslegal.com/jury-system/selection-process-at-the-courthouse/use-of-jury-consultants/>

(n.d.). Constitution Board Game. Retrieved December 15, 2019, from [http://texasregames.org/games\\_web\\_eng/crelay/index.html](http://texasregames.org/games_web_eng/crelay/index.html)

(n.d.). Teach - iCivics. Retrieved December 15, 2019, from <https://www.icivics.org/teachers>.

Access to online databases such as LexisNexis, Westlaw, PACER

Computer access

### Recommended Course Activities:

A variety of teaching methods can be used in Advanced Legal Skills and Professions such as individualized study, cooperative learning, guest speakers, panel discussions, field trips, visual/audio presentations/media, computer software programs, and internet research. A heavy emphasis, however, will be placed on simulations and mock proceedings that provide practice of both written and verbal advocacy skills. Recommended activities include participation in a class mock trial competition that will require drafting and arguing motions, witness testimony, and delivery of opening statements and closing arguments.

Other optional activities might include:

- Participation in the Texas High School Mock Trial competition, SkillsUSA, Texas Public Service Association competition, Texas Public Service Teacher Association competitions, or YMCA Youth and Government competitions and conferences.
- Volunteering at local legal aid clinics.
- Participation in a Law School Discovery day by touring a local law school and attending a law school class.

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- Scrimmages with other students participating in mock trial competitions at the high school or collegiate level.
- Attending local court hearings and other legal proceedings.
- Internships with a local attorney, law firm, legal aid organization, government agency, elected official, or court.
- Guest speakers such as court reporters and videographers, paralegals, or court translators.

### Suggested methods for evaluating student outcomes:

The methodology for student evaluations will include written/oral assignments, exams, quizzes, and evaluation of skills-based performance on course-related simulations.

### Teacher qualifications:

A valid license appropriate for the assignment plus one of the following certificates.

- Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- Vocational Trades and Industry. This assignment requires appropriate work approval.

### Additional information: