

**T D C A A**

# **Advanced Trial Advocacy Course**

**(Child Homicide)**

**Baylor Law School**

**Waco, TX**

**July 31–August 4, 2017**

**22 hours of MCLE credit, including 1 hour of ethics**

RETURN SERVICE REQUESTED

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

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# Advanced Trial Advocacy Course Information

**T**DCAA'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 an child homicide 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, 2017**. 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 to reimburse for meals, which are on your own. All participants will stay at the Courtyard by Marriott, 101 Washington Ave., in Waco. Classes are a short drive from the Baylor University Law School, 1114 South University Parks Drive. **Upon acceptance, TDCAA will make hotel reservations for all participants. Do not call the hotel directly.** Rooms are reserved beginning Sunday, July 30, with departure on Friday, August 4. If you do NOT need the hotel room on Sunday night and plan to check in Monday instead, please let LaToya Scott 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.

**Course Director:** TDCAA would like to thank Ronny Dale Smith, Assistant Criminal District Attorney in Tarrant County, for serving as the course director for this school.

*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 Curriculum

## Monday, July 31 (courtroom attire)

- 9:00 a.m. Registration Opens
- 10:00 a.m. Welcome and Course Introduction
- 10:15 a.m. Charging Decisions: Choosing the Right Indictment  
*Rick Daniel, Asst. Criminal District Attorney, Denton County*
- 11:00 a.m. Jury Selection  
*Melinda Westmoreland, Asst. Criminal District Attorney, Tarrant County*
- Noon Lunch (on your own)
- 1:30 p.m. Effective Use of Experts
- 3:45 p.m. Performance: Jury Selection
- Adjourn At the end of the exercise

## Tuesday, August 1 (courtroom attire)

- 9:00 a.m. Presenting the Evidence  
*Ronny Dale Smith II, Asst. Criminal District Attorney, Tarrant County*
- 10:15 a.m. Opening Statement Strategies  
*Justin Wood, Asst. District Attorney, Travis County*
- 11:00 a.m. Performance: Opening Statements
- Noon Lunch (on your own)
- 1:30 p.m. Evidence Collection and Preparation  
*Kelly Blackburn and Sheri Culberson, Asst. District Attorneys, Montgomery County*
- 4:00 p.m. Law Enforcement Context
- Adjourn At the end of the exercise
- 6:30 p.m. Dinner at Ninfa's Mexican Restaurant (provided by TDCAA)

## Wednesday, August 2 (courtroom attire)

- 9:00 a.m. Tactical Use of Evidence  
*Scott Simpson, Asst. Criminal District Attorney, Bexar County*
- 10:15 a.m. Performance: Direct Exam
- Lunch At Conclusion of Direct Exams, FAs groups lunch, and Q&A

## Thursday, August 3 (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  
*Brian Baker, First Asst. District Attorney, Brazos County*
- 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 4 (casual attire)

- 9:00 a.m. Caselaw Update  
*K. Sunshine Stanek, Asst. Criminal District Attorney, Lubbock County*
- 10:15 a.m. Ethical Issues in Child Fatality Cases: *Brady* and Beyond  
*W. Clay Abbott, TDCAA DWI Resource Prosecutor, Austin*
- 11:15 a.m. Best Practices in Groups
- Adjourn At the end of the exercise

# TDCAA Registration Form

## Advanced Trial Advocacy Course at Baylor Law School July 31–August 4, 2017

**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 # \_\_\_\_\_

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.)

- 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"/> child homicide |
| <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](mailto:Brian.Klas@tdcaa.com)**