

**City University of Hong Kong  
Course Syllabus**

**offered by School of Law  
with effect from Semester A 2017/2018**

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**Part I Course Overview**

**Course Title:** Trial Advocacy

**Course Code:** PLE5052

**Course Duration:** Semester B (10 weeks)

**Credit Units:** 2

**Level:** P

**Medium of Instruction:** English

**Medium of Assessment:** English

**Prerequisites:**  
(Course Code and Title) Nil

**Precursors:**  
(Course Code and Title) Nil

**Equivalent Courses:**  
(Course Code and Title) Nil

**Exclusive Courses:**  
(Course Code and Title) Nil

## Part II Course Details

### 1. Abstract

This course aims to prepare students for the practice of trial advocacy in both criminal and civil matters.

### 2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

No.	CILOs	Weighting (if applicable)	Discovery-enriched curriculum related learning outcomes (please tick where appropriate)		
			A1	A2	A3
1.	Conduct a criminal trial including: <ul style="list-style-type: none"> <li>○ prepare the matter for trial</li> <li>○ conduct an examination-in-chief</li> <li>○ conduct a cross-examination</li> <li>○ conduct a closing address.</li> </ul>			✓	✓
2.	Conduct a civil trial including: <ul style="list-style-type: none"> <li>○ prepare the matter for trial</li> <li>○ conduct an opening address</li> <li>○ conduct an examination-in-chief</li> <li>○ conduct a cross-examination</li> <li>○ conduct a closing address.</li> </ul>			✓	✓
		100%			

**A1: Attitude**

*Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.*

**A2: Ability**

*Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to self-life problems.*

**A3: Accomplishments**

*Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.*

### 3. Teaching and Learning Activities (TLAs)

(TLAs designed to facilitate students' achievement of the CILOs.)

TLA	Brief Description	CILO No.		Hours/week (if applicable)
		1	2	
1	<p>Teaching and learning will primarily be based on:</p> <ul style="list-style-type: none"> <li>discussing principles concerning preparation of a matter in a criminal trial in a large group and preparation of a simulated matter in a criminal trial in a small group</li> <li>observing/discussing principles of an examination-in-chief in a criminal trial in a large group and simulating practice based role plays on an examination-in-chief in a criminal trial in a small group</li> <li>observing/discussing principles of cross-examination in a criminal trial in a large group and simulating practice based role plays on cross-examination in a criminal trial in a small group</li> <li>observing/discussing principles of closing submissions in a criminal trial in a large group and simulating practice based role play of a closing submission in a criminal trial in a small group.</li> </ul>	✓		2 - 4
2	<p>Teaching and learning will primarily be based on:</p> <ul style="list-style-type: none"> <li>discussing principles relating to preparation of a matter in a civil trial in a large group and preparation of a simulated matter in a civil trial in a small group</li> <li>observing/discussing principles of an opening address in a civil trial in a large group and simulating practice based role plays of an opening address in a civil trial in a small group</li> <li>observing/discussing principles of an examination-in-chief in a civil trial in a large group and simulating practice based role plays of an examination-in-chief in a civil trial in small group</li> <li>observing/discussing principles of a cross-examination in a civil trial in a large group and simulating practice based role plays of a cross-examination in a civil trial in a small group</li> <li>observing/discussing principles of closing submissions in a civil trial in a large group and simulating practice based role plays of closing submissions in a civil trial in a small group.</li> <li>A primary research based exercise in which students will discover whether there have been any major developments in the legal authorities relating to the matter.</li> </ul>		✓	2 - 4

	<ul style="list-style-type: none"> <li>Compulsory participation as both a witness and an advocate at a non-assessable and simulated High Court Trial or an equivalent activity at the SLW on another later occasion in the event of a student being unable to attend the non-assessable and simulated High Court Trial</li> </ul>			
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**4. Assessment Tasks/Activities (ATs)**

*(ATs are designed to assess how well the students achieve the CILOs.)*

Assessment Tasks/Activities	CILO No.		Weighting	Remarks
	1	2		
Continuous Assessment: 100%				
This is assessed in Assessment 1	✓			
This is assessed in Assessment 2		✓		
Examination: _____% (duration: _____, if applicable)			100%	

## 5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Fair (C+, C, C-*)	Marginal (D*)	Failure (F)
1. Examination-in-chief or cross-examination of a witness or a closing submission in the criminal component of this Course (50%).	Students need to achieve a total of 50% across both assessments in this Course	Students should be able to reach a standard ranging from very competent to outstanding (at the higher end of the range) across the following skills: <ul style="list-style-type: none"> <li>• grasp of the issues and the subject matter</li> <li>• organization</li> <li>• capacity to analyse and synthesize</li> <li>• use of court room advocacy skills</li> </ul>	Students should be able to reach a good standard across the following skills: <ul style="list-style-type: none"> <li>• grasp of the issues and the subject matter</li> <li>• organization</li> <li>• capacity to analyse and synthesize</li> <li>• use of court room advocacy skills</li> </ul>	Students should be able to reach a competent standard across the following skills: <ul style="list-style-type: none"> <li>• grasp of the issues and the subject matter</li> <li>• organization</li> <li>• capacity to analyse and synthesize</li> <li>• use of court room advocacy skills</li> </ul>	N/A	Students have failed to reach a competent standard across the following skills: <ul style="list-style-type: none"> <li>• grasp of the issues and the subject matter</li> <li>• organization</li> <li>• capacity to analyse and synthesize</li> <li>• use of court room advocacy skills</li> </ul>
2. Examination-in-chief or cross-examination of a witness or an opening submission or a closing submission in the civil component of this Course (50%).						

\* Note: The University's grades C- and D are not used in the PCLL.

## **Part III Other Information** (more details can be provided separately in the teaching plan)

### **1. Keyword Syllabus**

*(An indication of the key topics of the course.)*

- Court etiquette and procedure
- Trial advocacy techniques
- Evidentiary issues
- Professional conduct issues
- Examination- in-chief in a criminal matter
- Cross-examination in a criminal matter
- Re-examination in a criminal matter
- Closing submissions in a criminal matter
- Opening submissions in a civil matter
- Examination- in-chief in a civil matter
- Cross-examination in a civil matter
- Closing submissions in a civil matter

### **2. Reading List**

#### **2.1 Compulsory Readings**

*(Compulsory readings can include books, book chapters, or journal/magazine articles. There are also collections of e-books, e-journals available from the CityU Library.)*

These include the Trial Advocacy Desk Book and all the Course Materials for this course. The other recommended and required references and reading for each topic will be found in the Desk Book and in the Course Materials for each topic.

#### **2.2 Additional Readings**

*(Additional references for students to learn to expand their knowledge about the subject.)*

- Bilingual Laws Information System - Hong Kong Ordinances and Subsidiary Legislation (<http://www.legislation.gov.hk/eng/home.htm>)
- Lexis and/or Westlaw - available through “Electronic Resources” section of the Run Run Shaw Library website