

University of Florida Levin College of Law  
COURSE SYLLABUS: PROSECUTION FIELD CLINIC  
LAW 6942 (12861) - 6 credits S/U, 2 credits graded  
Fall.868❶

**INSTRUCTOR'S CONTACT INFORMATION:**

Sarah H. Wolking

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Office Hours: Thursdays from 2-4 p.m. If this time doesn't work for you, please contact me to schedule a meeting at a different time. Students are encouraged to reach out anytime to discuss legal issues or ask questions about their cases. You can email, text, call, or stop by my office.

**MEETING TIMES AND LOCATIONS:**

Classroom location: MLAC 209

This course will meet on the following dates and times: Wednesdays from 6:30-8:30 pm

- Due to clinical exercises with UPD officers, laboratory tours, and various collaborations with the Defense Clinic, several special meetings may be held throughout the semester, and the Course Schedule will be adjusted accordingly. Please plan to attend class on the following scheduled dates:

Clinic Commitment Ceremony: Tuesday, August 19<sup>th</sup>, 5:30-7:00 pm (optional)

Jury Selection Practicum: Friday, September 5, 8:00 am-5:00 pm (mandatory)

Capstone Class: Thursday, November 13<sup>th</sup>, 12:00-1:15 pm (optional)

**COURSE DESCRIPTION AND OBJECTIVES:**

In this clinical course, students will develop a working knowledge of the criminal justice system and become familiar with all aspects of the art and craft of prosecution. Students will examine the unique role of prosecutors, who must wield the state's power with compassion and integrity. Through classroom exercises and work at the State Attorney's Office, students will gain essential skills necessary to become great prosecutors, including evaluating legal claims, conducting investigations, interviewing witnesses, listening actively, developing strategic case plans, identifying ethical issues, maintaining case files, working collaboratively as part of a team, negotiating with opposing counsel, and presenting cases in court. To achieve these objectives, students will:

- Demonstrate proficiency in the technical aspects of being a prosecutor, including legal analysis and argument;
- Produce high-quality legal research and writing;

- Examine and apply the laws and ethical rules that guide the work of a prosecutor; and
- Review, reflect on, and critically analyze how the criminal justice system operates.

#### STUDENT LEARNING OUTCOMES:

After completing this course, students should be able to:

- Demonstrate mastery of the fundamentals of presenting a case to a judge or jury, including delivering effective opening statements, closing arguments, and presenting well-organized direct and cross-examinations;
- Select a jury with confidence;
- Conduct thorough legal research and prepare professional legal memoranda;
- Resolve evidentiary issues during trial and pre-trial phases;
- Explain the role of a prosecutor in our criminal justice system and the relationships among prosecutors, police, defense attorneys, and the court;
- Capably interview and counsel witnesses and victims;
- Recognize disparities within the criminal justice system, and learn how to address and challenge them thoughtfully;
- Navigate ethical issues and build leadership skills;
- Collaborate with classmates and colleagues to explore and resolve legal matters;
- Make timely and appropriate legal objections;
- Prioritize a busy caseload and meet all deadlines;
- Negotiate with opposing counsel to justly resolve cases; and
- Perform the role of a prosecutor to develop a professional identity.

#### REQUIRED READING AND VIEWING MATERIALS:

- Ingrid Eagly, George Fisher, and Ronald Tyler, Criminal Practice: A Handbook for New Advocates (2021)
- Richard J. Crawford and Charlotte A. Morris, The Persuasive Edge (2nd ed. 2011)
- Jeffrey Bellin, Mass.Incarceration.Nation;How.the.United.States.Became.Addicted.to.Prisons.and.Jails.and.How.It.Can.Recover, excerpted in Canvas under "Files"
- Jacob Sullum, Gun.Control.is.Just.as.Racist.as.Drug.Control (in Canvas under "Files")
- Ryan McKinnon and Josh Salman, Wasted.Minds;Inmates.Languish.in.Florida.Prisons.with.Little.Access.to.Education, <http://gatehousenews.com/wastedminds>
- Scott Shackford, Innocent.Until.Proven.Guilty?But.Only.if.You.Can.Pay?<https://reason.com/2018/07/14/innocent-until-proven-guilty-b/>
- Scott Shackford, Philadelphia.Reduced.Use.of.Cash.Bail.and.the.Sky.Didn't.Fall?<https://reason.com/2019/02/21/philadelphia-showing-successes-in-reduci/>
- Sarah M. Buel, Fifty.Obstacles.to.Leaving?aka.Why.Abuse.Victims.Stay, [http://www.ncdsv.org/images/50\\_Obstacles.pdf](http://www.ncdsv.org/images/50_Obstacles.pdf)
- Lara Bazelon, What.It.Takes.to.Be.a.Trial.Lawyer.If.You're.Not.a.Man, <https://www.theatlantic.com/magazine/archive/2018/09/female-lawyers-sexism-courtroom/565778/>

- Morris Hoffman, The Injustice of Extreme Prison Sentences, <https://www.wsj.com/articles/a-judge-on-the-injustice-of-americas-extreme-prison-sentences-11549557185>
- Nazgol Ghandnoosh, The Next Step: Ending Excessive Punishment for Violent Crimes, <https://www.sentencingproject.org/wp-content/uploads/2019/03/The-Next-Step.pdf>
- Kamala Harris and Rand Paul, To Shrink Jails? Let's Reform Bail, <https://www.nytimes.com/2017/07/20/opinion/kamala-harris-and-rand-paul-lets-reform-bail.html>
- Noam Scheiber and John Eligon, Elite Law Firm's All-White Partner Class Stirs Debate on Diversity, <https://www.nytimes.com/2019/01/27/us/paul-weiss-partner-diversity-law-firm.html>
- A collection of readings in Canvas titled "Clinic Readings-Race and Justice" found in the Files section under "unfiled"
- Irving Younger, The 76 Commandments of Cross Examination at UC Hastings College of Law, <https://www.youtube.com/watch?v=dBP2if0l-a8> (43:20)
- Collection of readings in Canvas titled "Clinic Readings-Defense Counsel"
- Collection of readings in Canvas titled "Clinic Readings-Police"
- Collection of readings in Canvas titled "Clinic Readings-Prisons"
- Charlayne Hunter-Gault's interview with Professor Derald Sue, "How unintentional but insidious bias can be the most harmful?" <https://www.pbs.org/newshour/show/how-unintentional-but-insidious-bias-can-be-the-most-harmful> (7:57).

#### RECOMMENDED READING:

- Cynthia Alkon and Andrea Kupfer Schneider, Negotiating Crime (2019)
- Ibram X. Kendi, How to be an Antiracist (2019)
- Angela J. Davis, Arbitrary Justice (2007)
- Thomas A. Mauet, Trial Techniques (8th ed. 2019)
- Paul Butler, Chokehold (2017)
- Florida Rules of Criminal Procedure
- ABA Standards for Criminal Justice: Prosecution and Defense Functions
- NDAA National Prosecution Standards, 3rd Ed.
- ABA Model Rules of Professional Conduct
- Florida Rules of Professional Conduct

Additional readings will be posted on Canvas throughout the semester and students are encouraged to bring current events and issues in the criminal justice system to the class's attention;

#### COURSE EXPECTATIONS AND GRADING EVALUATION:

For this course, you will earn a total of eight (8) credits. Six (6) of these credits are pass/fail (Satisfactory/Unsatisfactory), and two (2) credits are graded. The purpose of this section is not to emphasize grades. Grades can distract from learning, and I hope they won't overshadow your clinical experience. However, it is only fair to explain the grading system,

as clinical grading differs from grading in standard examination and paper courses. Clinical students will be assessed in three areas: Clinical Coursework, Clinical Methods, and Clinical Practice.

1. Clinical Coursework (Weekly Reflections, Class Participation, Law Enforcement Ride-along, Quest, Case Rounds, Supervision Meetings): 50% of final grade

Reflection papers, readings, and in-class discussions challenge you to think critically and form opinions about how the criminal justice system functions. This kind of deep reflection is crucial for any excellent lawyer. Clinical coursework also includes the feedback students give each other, classroom performances, and court appearances. Such feedback doesn't need to be exhaustive but should show careful attention and thought.

**Weekly Reflection Papers:** Starting from the second week of the semester, you are required to write a paper reflecting on your experiences in the clinic during the past week or on the criminal justice system more generally. Reflection papers are due each Sunday by 11:59 pm. The preferred method of submission is via Canvas upload, but emailing the paper is also acceptable. **PLEASE INCLUDE YOUR NAME ON YOUR REFLECTION PAPER.** You may take one free week off during the semester. It is helpful—but not required—to begin each paper with a brief description of what you did or observed during the previous week. Please do not simply recount events. The goal of these papers is to encourage you to comment on the justice system as you perceive it. Consider whether the system is functioning effectively, if the various players are fulfilling their roles, and whether defendants are receiving fair treatment. How could the system improve? Do you like your role?

If it's been a slow week at the office, or if something else in the news, your class readings, or your life experience related to the criminal justice system has caught your attention, please feel free to discuss these other topics. Again, the goal is to reflect on the justice system. Within that scope, you are free to explore broadly. These papers may also serve as a platform to share suggestions about the Clinic. You might mention that you prefer a different classroom focus, want to see different types of cases, or are facing challenges and need additional guidance. There is no page limit on these papers, but it's unlikely you can adequately reflect on a week's work in less than three double-spaced pages. Please include your name and specify the dates covered in your report.

**Supervision Meetings:** You need to meet with the professor regularly to review previous work and plan upcoming tasks. These meetings should last about thirty minutes and will be scheduled individually. Please come prepared to give a progress update on past cases and to outline a plan of action for new cases. Try to become familiar with the facts of your cases and review the relevant law beforehand. If you don't have any urgent cases, you can use this time as you see fit. You might find it helpful to practice direct or cross-examinations, work on other trial skills, or discuss issues that have come up in the Clinic. Please come to the meetings ready to share your ideas on how best to use the time.

Law Enforcement Ride-Along: Please arrange a ride-along with a local police agency during this course. Spending time with a law enforcement officer actively engaged in police work is a priceless experience and will enhance your skills as a prosecutor. Former Clinic students say this is one of the most rewarding parts of their Clinic experience. Note, Gainesville.PD.(GPD).and.the.Alachua.County.Sheriff's.Office.(ACSO).can.be.slow.to.respond.for.a.ride\_along; Be.persistent.and.schedule.this.EARLY.in.the.semester\*

Case Rounds: In addition to completing the reading or viewing for each class, you should be ready to discuss your cases during class time. For some classes, I will assign students beforehand to address specific issues in their cases or give opening statements or closing arguments, so students should always stay current on their cases. These case rounds will help you quickly grasp the legal, practical, and ethical aspects of being a prosecutor.

Quest: During the semester, each student must complete a Quest designed to familiarize you with all aspects of work at the State Attorney's office. Additional instructions and a blank template are posted on Canvas. Students can work in groups of 2-4 to conduct the required interviews.

## 2. Clinical Methods (Case Preparation at SAO and in-class exercises): 25% of final grade

A part of this clinic involves working at least 21 hours per week as a Certified Legal Intern (CLI) in the assigned State Attorney's Office (SAO). This amounts to a total of 270 hours over the semester. While working at the SAO, the CLI will follow all canons of ethics and disciplinary rules of the Florida Bar and meet all performance standards set by the supervising Assistant State Attorney(s). Your professor and supervisors at the SAO will evaluate both the effort you put into preparing your cases and the initiative you demonstrate in setting and completing tasks. These tasks include researching the law, contacting and preparing witnesses, reaching out to opposing counsel when appropriate, submitting written materials, reviewing in-car and body-worn camera footage, listening to jail calls, and identifying and analyzing ethical issues in your cases. We understand that you are just beginning and may not always know what needs to be done, and we do not expect you to work without guidance. However, it is crucial that you read the materials, review the law, and try to determine what actions are needed. You should also have the energy and determination to complete your tasks.

## 3. Clinical Practice (Performance on your feet): 25% of final grade

This category addresses your court appearances and class performances, including our live jury selection and negotiation practicums in conjunction with the Defense Clinic and in-class exercises with local law enforcement agencies. In some ways, preparation and on-your-feet performance merge because good preparation almost always improves performance in both court and class. Still, it's true that by crediting good performance, we reward native talent. Some people find it easier to work on their feet than others. Perhaps it's not fair to reward people for native skills. Like all professors, I hope my grades reward

effort more than raw talent. But talent is important: we consistently reward test-taking talent, and talent is one thing prospective employers hope your grades reflect.

A.Note.on.the.Process After reviewing all your work, I will confer with your supervisors in the State Attorney's Office. Your final grades will reflect your performance in class, in the office, and in court. It's a shame that classes have to end with grades. Please keep in mind that grades are an imprecise and heavy-handed tool for judging things that are hard to judge.

#### INSTRUCTIONS FOR COMPLETING WEEKLY TIMESHEETS:

Please complete weekly time sheets that accurately and meaningfully describe the work performed. Do not record time with a single, recurring description: "Work on a motion to suppress evidence." Instead, break down the tasks involved.

"research law on standing—2 hours"

"research law on stop and frisk—three hours"

"begin draft memorandum for attorney—2 hours"

Also, carefully consider the words you choose to describe your work. Use persuasive verbs.

"Motion to suppress brief" is not compelling; "Researched, wrote, and revised motion to suppress brief" is more effective. No matter which area of law you pursue, being able to accurately and persuasively describe your work has great value, and this semester is an excellent opportunity to develop these skills!

You will use electronic timesheets created by UF Law's IT Team, which will be emailed to your supervisor for approval. The completed timesheet should be submitted to your supervisor each week. Remember that you do not receive credit for hours worked during a lunch break, but we understand that you may participate in a working lunch. If so, please log those hours.

To set up your weekly time tracking, just log in here:

<https://apps.powerapps.com/play/e/a46b10d4-09c2-ebe1-bc4b-f301cdbfab0d/a/a73974a6-5c33-4c65-a2b7-009c7953728d?tenantId=0d4da0f8-4a31-4d76-ace6-0a62331e1b84&hint=cad577a3-1595-4464-ad08-16b87f066e7e&sourcetime=1707411763848&source=portalLinks to an external site.> and follow the prompts. You'll need to enter your supervisor's email address so your hours can be approved.

#### CLASS ATTENDANCE AND MAKEUP POLICY:

Attendance in class is required by both the ABA and the Law School. A student who fails to meet the attendance requirement will be dropped from the course. Attendance at each session of this course is mandatory. Any missed session will result in a 5-point reduction in a student's final grade (on the 100-point scale) for each missed session. If you have a legitimate reason for missing class, you should contact me before or soon after class ends so that your absence can be excused. The law school's policy on attendance can be found [here](#).

#### UF LEVIN COLLEGE OF LAW STANDARD SYLLABUS POLICIES:

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations, can be found here: <https://ufl.instructure.com/courses/427635/files?preview=98226140>.

#### ABA OUT-OF-CLASS HOURS REQUIREMENTS:

ABA Standard 310 requires that students must spend 120 minutes on out-of-class preparation for each classroom hour of in-class instruction. Since our weekly class runs about two hours, you should plan for at least four hours of preparation outside of class, which includes reading assigned materials, completing written assignments, and submitting your weekly reflections. Throughout the semester, additional articles and viewing materials related to current events will be added to your assignments.

#### COMMUNICATION COURTESY AND CIVILITY:

Please observe common courtesy in all email messages and class discussions. Turn off your cell phone during class. I reserve the right to lower your final grade if you engage in behavior that disrupts the learning environment for your classmates.

#### INTERNET USE DURING CLASS:

Using the Internet during class is not allowed unless I give permission. Do not check social media, email (including Clinic- or career-related emails), or news websites. Treat class as an essential witness or victim meeting and plan your emailing accordingly. Even for a noble purpose, using the Internet violates professionalism standards. If you have any concerns about this policy, please don't hesitate to talk to me.

#### COURSE SCHEDULE OF TOPICS AND ASSIGNMENTS:

This syllabus serves as a guide to the course's direction. Our pace will partly depend on the interest level and difficulty of each section, and may change. Reading and supplemental assignments will be posted on Canvas and might be updated periodically throughout the semester. Besides completing the assigned reading/viewing, please be prepared to discuss your cases during each class. These "case rounds" allow students to connect with each other and help them analyze legal, ethical, and practical issues more efficiently than working alone. Learning through rounds is one of the best parts of clinical legal education!

#### Due by 6 pm on Wednesday, August 20, 2025:

Please read and be prepared to discuss the following: Criminal Practice: A Handbook for New Advocates, Chapters 1-4 (pp. 1-52) and Chapter 14 (pp. 259-269)

#### Due by 11:59 pm Sunday, August 24, 2025:

Prepare a goal statement and upload it in Canvas. This statement should be for the fall semester Prosecution Clinic. See "Developing a Good Goal Statement" in Canvas, and please follow the template outlined in "Prosecution Clinic Fall PDP" in Canvas.

#### Due by 6 pm Wednesday, August 27, 2025:

Please read and be prepared to discuss the following: Criminal Practice: A Handbook for New Advocates, Chapters 6-9 (pp. 71-160)

The Persuasive Edge, Chapter 1, "Developing a Practical Approach to Persuasion," and Chapter 2, "Building an Honest Relationship with the Jury"

Due by 6 pm Wednesday, September 3, 2025:

Please read and be prepared to discuss the following: Criminal Practice: A Handbook for New Advocates, Chapters 10-13 (pp. 161-257)

The Persuasive Edge, Chapters 3-4

Due by 6 pm Wednesday, September 10, 2025:

Please read and be prepared to discuss the following: Mass.Incarceration.Nation;How.the.United.States.Became.Addicted.to.Prisons.and.Jails.and.How.It.Can.Recover by Jeffrey Bellin, excerpted in Canvas under "Files," and Jacob Sullum, "Gun.Control.is.Just.as.Racist.as.Drug.Control;" in Canvas under "Files."