

**INTRODUCTION TO PROSECUTION, LAW 6930 (25479)**  
**COURSE SYLLABUS**  
*Spring 2020*

**INSTRUCTOR'S CONTACT INFORMATION:**

Sarah H. Wolking

Office Location: 126 Bruton-Geer Hall

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Office Hours: By appointment, but students should feel free to contact the professor at any time to discuss legal issues or to ask questions. Students are welcome to contact the professor via email, text, or phone.

**COURSE OBJECTIVES AND GOALS:**

This week-long, 1-credit course is designed to introduce students to the art and craft of prosecution. Prosecutors must learn to wield the power of the state ethically and deliberatively. Students will become familiar with the practices and procedures of prosecutors in the Eighth Judicial Circuit so that they are prepared to hit the ground running when the Prosecution Clinic begins. Students will participate in an objection workshop, trace the life of a criminal case, learn basic case preparation, and review courtroom skills. Students will develop insight into the strategic and logistical challenges of preparing and presenting cases in this arena.

In this compressed course, students will also tackle the multiplex ethical issues that define prosecutors' fundamental duty to seek justice. Selected readings and recordings will explore prison conditions and sentencing reform, the institutional strengths and weaknesses of the players in the system, and the impact of race, gender, and class on the quality of justice. Students will be required to attend a prison tour on Wednesday, January 8th.

Finally, students will begin to think about or refine their professional identity, recognizing a criminal justice system in crisis, and becoming motivated to do something about it. Prosecutors have enormous power to make real and lasting changes and this introductory course will challenge students to think critically about how to solve problems in this system.

**LEARNING OUTCOMES:**

At the conclusion of this course, students should be able to:

- Demonstrate an understanding of the life of a criminal case—from investigation and charging, to interviewing, motion-writing, jury selection and argument;
- Negotiate with opposing counsel in the spirit of a just resolution of cases, with an understanding of Adverse Childhood Experiences (ACEs);
- Identify innovative solutions to criminal justice system challenges, including bail, municipal violations, implicit bias, extreme prison sentences, domestic violence, racism, sexism, and poverty;
- Develop or refine a professional identity which reflects the core values of the legal profession and embraces ethical problem-solving in the criminal justice arena.

#### CLASSROOM AND CLASS TIME:

This course will meet on the following dates and times:

Monday, January 6 - no class

Tuesday, January 7- 9am-noon and 1-3pm

Wednesday, January 8 - 9:30am-noon at Reception and Medical Center (RMC), Lake Butler, FL

Thursday, January 9 - 9am-noon

Friday, January 10 - 9am-1:30pm at State Attorney's Office 120 W. University Ave.

Classroom: 220-D Collaboration Lab, 2nd Floor Bruton-Geer Hall

#### CLASS ATTENDANCE:

Attendance at each session of this compressed 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. Further information about the Levin College of Law's attendance policy is available here: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/academic-policies#3> (Links to an external site.)

#### RECOMMENDED TEXTS:

Thomas A. Mauet, Trial Techniques (8th ed. 2019)

Florida Rules of Criminal Procedure

ABA Standards for Criminal Justice: Prosecution and Defense Functions

NDA National Prosecution Standards, 3rd Ed.

ABA Model Rules of Professional Conduct

Florida Rules of Professional Conduct

Mark Herrmann, The Curmudgeon's Guide to Practicing Law (2006)

#### REQUIRED READING AND VIEWING:

- The Ethics of Charging, collection of articles, cases and problems in Canvas "files" under "unfiled"
- Adam Foss, A Prosecutor's Vision for a Better Justice System, [https://www.ted.com/talks/adam\\_foss\\_a\\_prosecutor\\_s\\_vision\\_for\\_a\\_better\\_justice\\_system?language=en](https://www.ted.com/talks/adam_foss_a_prosecutor_s_vision_for_a_better_justice_system?language=en) (Links to an external site.) (15:50)
- The Problem of Prisons, collection of articles, cases and problems in Canvas "files" under "unfiled"
- Ryan McKinnon and Josh Salman, Wasted Minds: Inmates Languish in Florida Prisons with Little Access to Education, <http://gatehousenews.com/wastedminds> (Links to an external site.)
- William Ury, The Power of Listening, The power of listening | William Ury | TEDxSanDiego (Links to an external site.) (15:40)
- Eric Johnson, Seattle is Dying, Seattle is Dying (Links to an external site.) (1:00:35)
- <https://implicit.harvard.edu/implicit/takeatest.html> (Links to an external site.)
- Catharine Wells, Microaggressions in the Context of Academic Communities, [http://law.scu.edu/wp-content/uploads/socialjustice/Catharine\\_Wells\\_Paper.pdf](http://law.scu.edu/wp-content/uploads/socialjustice/Catharine_Wells_Paper.pdf) (Links to an external site.)
- Developing a Good Goal Statement and Prosecution Clinic Professional Development Plan in Canvas under "files"

#### PERFORMANCE EXPECTATIONS AND INFORMATION ON GRADING:

The components of the final grade for the course are listed below:

- Comments and written assignments on readings in syllabus: 30% (responses are due prior to class via Canvas)
- Classroom preparation and participation: 70%

The law school grading policy is available at <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/academic-policies#3> (Links to an external site.)

The law school recognizes the following grades:

A (excellent) 4.0

A- 3.67

B+ 3.33

B 3.00

B- 2.67

C+ 2.33

C (satisfactory) 2.00

C- 1.67

D+ 1.33

D (poor) 1.00

D- 0.67

E (failure) 0.00

#### CLASS PREPARATION AND CIVILITY:

ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. This course has 15 “classroom hours” of in-class instruction, requiring at least 30 hours of preparation outside of class. Assignments will be posted on Canvas prior to the start of class. Please note that due to the compressed nature of this course, the bulk of your preparation must be done in the days prior to the start of class.

During our brief class sessions, do not use laptops or other electronic devices.

#### GETTING HELP:

For technical difficulties with E-learning in Canvas, please contact the UF Help Desk at:

[helpdesk@ufl.edu](mailto:helpdesk@ufl.edu)

352-392-HELP

<http://elearning.ufl.edu/> (Links to an external site.)

(See “Message Us” at the top of the page)

#### UF LAW HONOR CODE:

The University of Florida College of Law Honor Code represents a commitment by students to adhere to the highest degree of ethical integrity. Teaching and learning flourish best in an environment where mutual trust and respect form the bedrock of relationships. The Honor Code helps create a community in which students can maximize their intellectual and academic potential. Students are bound by the UF Honor Code, which may be found at <https://>

[www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/additional-information/honor-code-and-committee/honor-code](http://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/additional-information/honor-code-and-committee/honor-code) (Links to an external site.)

#### STATEMENT RELATED TO ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES:

Students with disabilities requesting accommodations should first register with the Disability Resource Center (352-392-8565, [www.dso.ufl.edu/drc/](http://www.dso.ufl.edu/drc/)) (Links to an external site.) by providing appropriate documentation. Once registered, students will receive an accommodation letter which must be presented to the law school Office of Student Affairs. Students with disabilities are encouraged to follow this procedure as early as possible.

#### LEARNING ENVIRONMENT AND PREFERRED NAME:

It is important to the learning environment that you feel welcome and safe in this class; and that you are comfortable participating in class discussions and communicating with me on any issues related to the class. If your preferred name is not the name listed on the official UF roll, please let me know as soon as possible by e-mail or otherwise. I would like to acknowledge your preferred name, and pronouns that reflect your identity. Please let me know how you would like to be addressed in class, if your name and pronouns are not reflected by your UF-rostered name. I welcome you to the class and look forward to a rewarding learning adventure together.

You may also change your "Display Name" in Canvas. Canvas uses the "Display Name" as set in myUFL. The Display Name is what you want people to see in the UF Directory, such as "Ally" instead of "Allison." To update your display name, go to [one.ufl.edu](http://one.ufl.edu), click on the dropdown at the top right, and select "Directory Profile." Click "Edit" on the right of the name panel, uncheck "Use my legal name" under "Display Name," update how you wish your name to be displayed, and click "Submit" at the bottom. This change may take up to 24 hours to appear in Canvas. This does not change your legal name for official UF records.

#### NETIQUETTE: COMMUNICATION COURTESY:

Please follow rules of common courtesy in all email messages, threaded discussions and chats. See <http://teach.ufl.edu/wp-content/uploads/2012/08/NetiquetteGuideforOnlineCourses.pdf> (Links to an external site.)

#### STATEMENT REGARDING ONLINE COURSE EVALUATION:

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.ua.ufl.edu/students/>. Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals in their Canvas course menu under GatorEvals or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.ua.ufl.edu/public-results/> (Links to an external site.)

## ASSIGNMENTS:

Due by 9am Tuesday, January 7, 2020:

- Watch and be prepared to discuss: William Ury, The Power of Listening, The power of listening | William Ury | TEDxSanDiego (Links to an external site.) (15:40) and Adam Foss, A Prosecutor's Vision for a Better Justice System, [https://www.ted.com/talks/adam\\_foss\\_a\\_prosecutor\\_s\\_vision\\_for\\_a\\_better\\_justice\\_system?language=en](https://www.ted.com/talks/adam_foss_a_prosecutor_s_vision_for_a_better_justice_system?language=en) (Links to an external site.)(15:50).
- Read the collection of readings in Canvas on "The Ethics of Charging" (in "files" under "unfiled")

Attend Class—9am-noon and 1pm-3pm

The Role of the Prosecutor and the Charging Decision

The Life of a Criminal Case

Guest speaker: Professor Teresa Drake, Director, Intimate Partner Domestic Violence Clinic (IPVAC)--Adverse Childhood Experiences

Due by 9am Wednesday, January 8, 2020:

- Read and be prepared to discuss the collection of readings in Canvas: "The Problem of Prisons" under "files" and "unfiled" and Ryan McKinnon and Josh Salman, Wasted Minds: Inmates Languish in Florida Prisons with Little Access to Education, <http://gatehousenews.com/wastedminds> (Links to an external site.)
- Watch and be prepared to discuss Eric Johnson's, Seattle is Dying, Seattle is Dying (Links to an external site.) (1:00:35)

Attend Class—9:30-noon at Reception and Medical Center, Lake Butler, FL. Students should feel free to carpool and let Professor Wolking know if you need transportation.

Due by 9am Thursday, January 9, 2020:

- Read and be prepared to discuss Catharine Wells, Microaggressions in the Context of Academic Communities, [http://law.scu.edu/wp-content/uploads/socialjustice/Catharine\\_Wells\\_Paper.pdf](http://law.scu.edu/wp-content/uploads/socialjustice/Catharine_Wells_Paper.pdf) (Links to an external site.)
- Describe a microaggression that you have suffered or made and what lessons you took from it (1-2pp)-upload to Canvas
- Please take at least one implicit association test (IAT) which can be found here: <https://implicit.harvard.edu/implicit/takeatest.html> (Links to an external site.) Write 1-2pp describing your result(s), your reaction to your result(s), or the effectiveness of IATs in training people who work in the criminal justice system (prosecutors, police, judges, defense lawyers, etc.)

Attend Class—9am-noon

Prison conditions and reform

Implicit bias and microaggressions

Objection Workshop

8th Judicial Circuit State Attorney's Office practices and procedures

Due by 9am Friday, January 10, 2020:

- Prepare a goal statement and upload it in Canvas. This statement should be for spring semester Prosecution Clinic. See "Developing a Good Goal Statement" and "Prosecution Clinic PDP 2020" in Canvas.

Attend Class—9am-1pm at the State Attorney's Office 120 W. University Ave., Gainesville, FL  
Orientation