

SYLLABUS
Fall Semester 2026: 5297 - 25770
Criminal Litigation and Legal Issues in Criminal Procedure
Time: Th 5:30p-7:30p Location: TBD (in-person)

Instructors:

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Office Hours

Email in advance to schedule for available meeting times.

Required Course Material

Criminal Litigation and Legal Issues in Criminal Procedure (5th edition) by Brent E. Newton. Available [here](#).

Course Objectives

The objectives of this course are to teach the substantive and procedural law of this subject matter in a comprehensive manner; to consider ethical and professional questions related to the subject matter; and to integrate the subject matter with the analytical and practical skills necessary for the practice of law.

Assigned readings

Please read the assignment for each class in the textbook prior to that class. At the end of each hypothetical, there are case citation(s) corresponding to that hypothetical. You must read the cited case(s) that correspond to the specific hypothetical assigned to you. Ideally, we hope that students will read all of the hypotheticals in each chapter and all of the cases cited at the end of each of the hypotheticals. However, focus most of your out-of-class preparation on the specific hypothetical – and corresponding case citation(s) – that you are assigned each week. That is the one for which you will be responsible during the next class. During at least one week in the semester, students also will be required to play the role of the trial judge during one or more of the hypothetical exercises assigned that week. Obviously, during that week, the student assigned to be the judge should read not only the hypothetical and corresponding case law for the exercise in which the student role-plays a lawyer but also the hypothetical(s) and case law for the exercise(s) in which the student role-plays the judge.

Grading

There will be no final exam or paper in this course. Your grade will be determined solely based on your class participation – in particular, your oral presentations each night of class.

<u>Class</u>	<u>Topic</u>	<u>Reading Assignment</u>
#1 (Aug. 27)	Course Overview / Introduction	1.1-1.4
#2 (Sept. 3)	Preliminary Hearings	2
#3 (Sept. 10)	Bail Hearings	3.1-3.2
#4 (Sept. 17)	Pretrial Motions	4.1
#5 (Sept. 24)	Pretrial Motions (Suppression)	5.1-5.2, 6.1
#6 (Oct. 1)	Court Observations	TBA
#7 (Oct. 8)	Voir Dire	7.1-7.3
#8 (Oct. 15)	Legal Objections During Trial & Motions for Judgment of Acquittal	8, 9.1-9.2
#9 (Oct. 22)	Jury Instructions	10
#10 (Oct. 29)	Closing Arguments (with Guest Speaker)	11
#11 (Nov. 5)	Sentencing Hearings	12.1-12.2
#12 (Nov. 12)	Post-Conviction Challenges	13.1-13.3, 14.1-14.2
#13 (Nov. 19)	Wrap-Up Session (with Judges)	TBA

Attendance Requirements

Any student missing more than three (3) classes will be dropped from the course. There are no excused absences, so use your absences wisely.

Professionalism

The classroom is a learning space where each student is treated with respect and dignity and where everyone is provided the opportunity to participate, contribute, and succeed. In this course, all students are welcome regardless of socio-economic status, age, race, ethnicity, disability, religion, national origin, veteran's status, sex, sexual orientation, gender identity, gender expression, political affiliation, marital status, or identity. I encourage you to speak up and share your views appropriately throughout the semester. I also expect every class member to remember that in this learning environment, we will engage respectfully and with professionalism toward each other. In the words of the Texas Lawyer's Creed, "[a] lawyer should always adhere to the highest principles of professionalism."

Tardiness

I respect your time and education by doing my best to start and end our class meetings on time. Please be on time, seated, and ready to go before I begin class.

The Use of Artificial Intelligence Is Prohibited in the Course

The use of artificial intelligence (AI) is prohibited in this course. Thus, using AI or AI-generated text for formal assessments (such as your midterm or final exams), informal assessments (such as drafting essay answers to hypothetical problems), extra credit assignments, or group or individual exercises and activities is not permitted. This prohibition includes any work product created for this course that is submitted to the instructor, a tutor, or presented in a class session.

Honor Code

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in this course syllabus. Please note the Honor Code's plagiarism policy and its prohibition against receiving unauthorized aid or using unauthorized materials. Your continuing enrollment in this course is deemed to be your pledge under the Honor Code that, among other things, your work product in this course is without any contribution from AI or AI-generated text. Accordingly, pursuant to the Honor Code, you may not submit any work generated by an AI program as your own. The use of AI-generated text will be treated as engaging in plagiarism in violation of the Honor Code.

Title IX/Sexual Misconduct

Pursuant to the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

Reasonable Academic Adjustments/Auxiliary Aids

The University of Houston is committed to providing an academic environment and educational programs that are accessible to its students. Any student with a disability who is experiencing barriers to learning, assessment, or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website at <https://uh.edu/accessibility/>, by calling (713) 743-5400, or by emailing jdcenter@Central.UH.EDU.

Mental Health and Wellness Resources

The University of Houston has several resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App: ● UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment, and sadness. CAPS provides individual and couples counseling, group therapy, workshops, and connections to other support services on and off campus. For assistance, visit uh.edu/caps, call 713-743-5454, or visit a Let's Talk location in person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed. ● The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment. ● The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being. ● If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or for the National Suicide and Crisis Lifeline, you call or 5 Torts Syllabus (Prof. Duncan – Fall 2023) text 988 or go to 988lifeline.org.

Other Helpful UH Resources

UH Non-Discrimination Statement LGBTQ Resource Center Cougars in Recovery UH Veteran Services Cougar Cupboard DACA: What You Need to Know Student Health Center & Campus Pharmacy UH Wellness

Recording of Classes Not Permitted

Students may not record all or part of class, livestream all or part of class, or make or distribute screen captures without the advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. The instructor may record classes. Students may use the instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.