

# Tutorial Letter 101/3/2018

## Techniques in trial and litigation TLI4801

**Semesters 1 & 2**

**Department of Criminal and Procedural Law**

### IMPORTANT INFORMATION

Please register on myUnisa, activate your myLife e-mail addresses and make sure that you have regular access to the myUnisa module website, TLI4801-2018-S1/S2, as well as your group website.

Note: This is an online module and therefore it is available on myUnisa. However, in order to support you in your learning process, you will also receive some study material in printed format.

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# 1 INTRODUCTION

Dear Student

Welcome to Techniques in Trial and Litigation.

Because this is a fully online module, you will need to use myUnisa to study and complete the learning activities for this course. Visit the website for TLI4801 on myUnisa frequently. The website for your module is TLI4801-18-S1/S2.

## 1.1 Getting started

Owing to the nature of this module, you can read about the module and find your study material online. Go to the website at <https://my.unisa.ac.za> and log in using your student number and password. You will see TLI4801-18-S1/S2 in the row of modules displayed in the orange blocks at the top of the webpage. Select the **More** tab if you cannot find the module you require in the orange blocks. Then click on the module you want to open.

You will receive this tutorial letter in printed format. While the printed material may appear different from the online study material, it is the same, as it has been copied from the myUnisa website.

We wish you much success in your studies!

# 2 OVERVIEW OF TLI4801

## 2.1 Purpose

This capstone module purposes itself on applied skills and competencies arising from the laws of civil procedure, criminal procedure and evidence. The purpose is to equip aspirant practitioners (not limited to attorneys, advocates, prosecutors, and legal advisors) with skills, techniques and aptitudes in litigation, necessary to represent clients in various legal causes, motions and actions. It emphasises technique over theory, which is assumed to be in place from earlier studies. It concentrates on imbuing skills for confident litigation and premises these skills on the values of competent representation, justice, fairness and ethical professional conduct. The module explores legal representation and the impact of multicultural diversity and diversification of the legal profession in South Africa. Students accredited with this module will be able to apply litigation conventions in the civil and criminal courts of the Republic.

This module is delivered using myUnisa and the internet as well as peer group interaction. Your lecturers will interact with you on myUnisa and via e-mail.

## 2.2 Outcomes

For this module, you will have to master several outcomes:

- Apply the concrete framework of applied law governing techniques in trial and litigation.
- Present the notions and guidelines mandatory to trial and litigation within the framework of the rule of law.
- Evaluate legal material to apply techniques to real-life trial and litigation situations.
- Analyse the integrated nature of the trial process in South African public and private law.
- Apply just, constitutional and lawful criminal and civil procedure in practice.
- Exhibit skills and techniques essential to trial, litigation and alternative dispute resolution mechanisms in South Africa.

## 3 LECTURERS AND CONTACT DETAILS

### 3.1 Lecturers

<i>Lecturer</i>	<i>Telephone details</i>	<i>Office number</i>	<i>E-mail address</i>
Professor MG Karels (course leader and primary lecturer)	012 429 8350	Room 8-02	<a href="mailto:kareimg@unisa.ac.za">kareimg@unisa.ac.za</a>
Dr M T Mokoena	012 429-2265	Room 8-40	<a href="mailto:mokoemt@unisa.ac.za">mokoemt@unisa.ac.za</a>

### 3.2 Department

If you wish to contact the Department of Criminal and Procedural Law, do so at 012 429 4995, 012 429 8444 or, alternatively, 012 429 8397.

### 3.3 University

To contact the University, follow the instructions in the brochure **Study @ Unisa**. Remember to have your student number available whenever you contact the University.

Whenever you write to a lecturer, please include your student number to enable the lecturer to help you more effectively.

## 4 RESOURCES

### 4.1 Joining myUnisa

If you have access to a computer that is linked to the internet, you can quickly access resources and information at the University. The myUnisa learning management system is the University's online campus that will help you communicate with your lecturers, with other students and with the administrative departments at Unisa – all through the computer and the internet.

You can start at the main Unisa website at <http://www.unisa.ac.za> and then click on the myUnisa orange block. This will take you to the myUnisa website. To go to the myUnisa website directly, go to <https://my.unisa.ac.za>. Click on the **Claim UNISA Login** on the right-hand side of the screen on the myUnisa website. You will then be prompted to give your student number in order to claim your initial myUnisa details as well as your myLife e-mail login details.

For more information on myUnisa, consult **Study @ Unisa**, which you received with your study material.

### 4.2 Other resources – printed support material

Because we want you to be successful in this online module, we also provide you with some of the study material in printed format. This will allow you to read the study material even if you are not online.

The printed study material will be sent to you at the beginning of the semester, but you do not have to wait for it before you start studying – you can go online as soon as you have registered and find all your study material there. The material we will send you is an **offline** copy of the formal content for the online module. Having an offline copy will enable you to study for this

module WITHOUT having to use the internet or to go to an internet café. It will save you time and money, and you will be able to read and re-read the material and start doing the activities.

It is very important that you log in to myUnisa regularly. We recommend that you log in at least once a week or every ten days to do the following:

- **Check for new announcements.** You can also set your myLife e-mail account to receive the announcement e-mails on your cellphone.
- **Do the Discussion Forum activities.** When you do the activities for each unit, we want you to share your answers with the other people in your group. You can read the instructions and even prepare your answers offline, but you will need to go online to post your messages.
- **Do other online activities.** For some of the unit activities you will need to post something on the **Blog**, take a quiz or complete a survey under the **Self-Assessment** tool. Do not skip these activities because they will help you complete the assignments and the activities for the module.

We hope that by giving you extra ways to study the material and practise all of the activities, this system will help you succeed in the online module. To get the most out of the online course, you **MUST** go online regularly to complete the activities and assignments on time.

Remember, the printed support material is backup material for everything that is found online on myUnisa. It does not contain any extra information. **In other words, do NOT wait for the printed support material to arrive before you start studying.**

### 4.3 Library services and resource information

For brief information, go to [www.unisa.ac.za/brochures/studies](http://www.unisa.ac.za/brochures/studies)

For detailed information, go to <http://www.unisa.ac.za/library>. For research support and services of personal librarians, click on "Research support".

The Library has compiled numerous library guides:

- finding recommended reading in the print collection and e-reserves – <http://libguides.unisa.ac.za/request/undergrad>
- requesting material – <http://libguides.unisa.ac.za/request/request>
- postgraduate information services – <http://libguides.unisa.ac.za/request/postgrad>
- finding, obtaining and using library resources and tools to assist in research – [http://libguides.unisa.ac.za/Research\\_Skills](http://libguides.unisa.ac.za/Research_Skills)
- contacting the Library/finding us on social media/frequently asked questions – <http://libguides.unisa.ac.za/ask>

## 5 HOW TO STUDY ONLINE

### 5.1 What does it mean to study fully online?

Studying fully online modules differs completely from studying some of your other modules at Unisa.

- **All your study material and learning activities for online modules are designed to be delivered online on myUnisa.** Although we give you a printed copy to support your studies, the module is designed to be delivered online.
- **All of your assignments must be submitted online.** This means that you do all your activities and submit all your assignments on myUnisa. In other words, you may **NOT** post your assignments to Unisa using the South African Post Office.
- **All of the communication between you and the University happens online.** Lecturers will communicate to you by e-mail, and using the **Announcements**, the **Discussion Forums** and the **Questions and Answers** tools. You can also use all of these ways to ask questions and contact your lecturers.

### 5.2 The myUnisa tools you will use

All of the information about myUnisa tools is located under **Unit 0** on the myUnisa website for this module. However, we thought it was important to highlight the tools that will be used for your formal assignments.

In this module, there are three different types of assessment using different myUnisa tools:

- **Discussions:** This is the place where the online discussion forums take place and where you can share your ideas and insights with other students in your group. For many activities, the discussion forums are also used.
- **Assignments:** The assignments that are not done under **Discussions** are called written assignments. You have to type these assignments in a Word document, convert to PDF, and submit them online in the same way as you will submit all the other assignments online. The assignments will be routed to your lecturer who will mark them. Depending on the assignment, you may be asked to fill in a form or type a document. These typed assignments must be submitted as PDF documents using the online **Assignments** tool on myUnisa.
- **Learning units:** the prescribed work which you must study is indicated by way of learning units loaded on myUnisa. Each learning unit indicates learning outcomes and the prescribed work, which you must study. It also provides activities, which you will take part in online.

Under **Discussions**, several other discussion forums are available where you can share ideas and post your opinions online. We have also provided a platform on myUnisa, where you can socialise with the other students in the course.

You may also ask questions using the **Questions and Answers** tool. If your question is of general importance, your lecturer may publish it for the whole group to see.

## 6 ASSESSMENT

### 6.1 Assessment plan

We have given you a breakdown of the formal portfolio activities and assignments as they become due during the semester:

The due dates and unique numbers for the assignments are as follows:

<b>FIRST-SEMESTER ASSIGNMENTS: DUE DATES AND UNIQUE ASSIGNMENT NUMBERS</b>		
<i>Assignment description</i>	<i>Due date</i>	<i>Unique number</i>
Assignment 01	<b>23 March 2018</b>	<b>696217</b>
Assignment 02	<b>20 April 2018</b>	<b>801372</b>
Assignment 03 (exam portfolio)	<b>18 May 2018</b>	<b>785550</b>

<b>SECOND-SEMESTER ASSIGNMENTS: DUE DATES AND UNIQUE ASSIGNMENT NUMBERS</b>		
<i>Assignment description</i>	<i>Due date</i>	<i>Unique number</i>
Assignment 01	<b>10 August 2018</b>	<b>726196</b>
Assignment 02	<b>7 September 2018</b>	<b>816946</b>
Assignment 03 (exam portfolio)	<b>5 October 2018</b>	<b>855792</b>

\*Because this is an online module, the assignments are not provided in this tutorial letter. Instead, the assignments are given in the study material as they become due during the course. You can see them when you go online or read about them in the printed support materials.

### 6.2 Year mark and final examination/portfolio

Your year mark for this module is as follows:

- The two compulsory formative assignments for this module contribute 40% towards your final mark and the examination (by way of portfolio) contributes 60% towards your final mark.

You will not write an examination for this module for the following reasons:

- Your final assessment task is called a portfolio and it is the focal point of this course.
- In your portfolio, you are expected to reflect on the holistic learning outcomes of the module and provide evidence to demonstrate that you have grasped the concepts through answering specific questions, analysing facts or perhaps drafting documents.
- The purpose of the portfolio is to assess whether you have achieved the overall purpose of the module indicated earlier in this document.

## 7 CONCLUSION

Do not hesitate to contact us by e-mail if you are experiencing problems with the content of this tutorial letter or with any academic aspect of the module.

We wish you a fascinating and satisfying journey through the learning material and trust that you will complete the module successfully.

Enjoy the journey!

Prof M Karels and Dr T Mokoena

**DEPARTMENT OF CRIMINAL AND PROCEDURAL LAW**

**Unisa/kr**