

Learning Units

Learning Units

Learning Unit 0

Introduction to Techniques in Trial and Litigation (TLI4801)

Introduction

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Instructions: Read the following:

Techniques in Trial and Litigation is designed to aid fledgling legal practitioners in their first foray into legal practice. This module is designed to be taught and delivered online and requires a greater degree of independent reading and analysis than traditionally delivered law modules. It is designed around the prescribed textbook, e-resources and the learning outcomes stated by the lecturers. There is no study guide for the module, such as you have previously encountered in most of the LLB modules. The online content is delivered in the form of learning units which mimic the chapter content of prescribed textbooks and related e-reserves. Each learning unit contains an activity intended to test the skills developed in that particular study unit.

Note that we will not mark these activities. Where we make reference to other sources, we will clearly indicate this as such.

How the module units are presented

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Instructions: Read the following:

You will notice that this learning unit is labelled Unit 0.

Unit 0 serves as an introduction to the module and a form of orientation as to how information is presented. From the purpose statement for the module, you will have noted further that this module covers selected practical aspects of the law of criminal procedure, the law of evidence and the law of civil procedure. Although these fields of law require the development of distinct skills, there are certain skills that are generic to them all – such as consultation skills.

Prescribed reading for Unit 0

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Read **Discussion Forum 4 (discussion 1)** and the associated e-reserves mentioned there.

Unit outcomes

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Instructions: Read the following:

On completion of Learning Unit 0, you should be able to:

- identify the characteristics/traits of good trial lawyers
- express a trial lawyer's duty towards the court
- express a trial lawyer's duty towards a client
- express a trial lawyer's duty towards his/her opponents
- express a trial lawyer's duty towards witnesses
- define conflict of interest and withdrawal as attorney of record
- identify in which situations counsel may refuse a brief
- identify when recusal may be apposite
- describe the limits of freedom of speech and freedom of counsel in court and their potential to contribute to contempt of court

Activity

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Take part in the discussion under **Topic 1** (Introduction to Techniques in Trial and Litigation) of **Forum 4** on myUnisa and engage with the topics of discussion loaded there.

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