Tutorial Letter 102/3/2018

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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Dear Student,

1 INTRODUCTION

This tutorial letter is intended to provide you will detail as to the prescribed book for the module and the arrangements that the lecturers have made with the publisher in this regard.

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

2 PRESCRIBED BOOK

The prescribed textbook for this module is Marnewick CG "Litigation Sills for South African Lawyers" 3rd edition (2012 LexisNexis). The ISBN/ISSN number for the hard copy of the prescribed book is 9780409055023.

The content of TLI4801 is built around the prescribed textbook and it is therefore essential that you obtain a copy as soon as possible after registration. You will note that the online platform for the module centres on learning units. In each learning unit, you are referred to a specific chapter or part of the textbook to prepare. We therefore reiterate that you will not be able to successfully master this module without the prescribed textbook.

The textbook we use for this module is considered a professional title – this means that it is used in practice by practitioners. The textbook is extremely detailed and one of only a few publications on the topic of litigation skills from a South African perspective. Resultantly you will note that the prescribed textbook is slightly more expensive than what you may be accustomed to. Because of this, we have arranged with the publisher that they will offer the textbook as a substantial discount to Unisa students registered for this module **BUT** only if the book is ordered directly from the publisher using the form below.

2.1 Ordering your textbook

To order your textbook complete the form attached hereunder and send it to <u>orders@lexisnexis.co.za</u>. On the order form, you will be required to confirm:

- 1. How many copies you are ordering:
- 2. Confirm your payment details; and
- 3. Confirm your personal details.

If you prefer you may also contact LexisNexis using the details provided on the order form. Please note that this arrangement only applies if you order directly from the publisher. If you prefer to purchase the book at full price from a bookseller that is your choice.

2.2 Order form

Use the order form hereunder to order your textbook directly from the publisher. We have also loaded the form under "additional resources" on myUnisa for your convenience.

Litigation Skills for South African Lawyers Third Edition

By CG Marnewick

Litigation Skills for South African Lawyers covers everything from your first meeting with a client, through the court process, to meeting after the appeal has been finalised.

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About the Publication

Litigation Skills for South African Lawyers includes not only the skills and techniques required for civil litigation, including the new Court-based Mediation, but also the skills and techniques required of a prosecutor and defence counsel in criminal litigation. This publication is essential reading for both civil and criminal litigators.

Topics Covered

- Interviewing clients and witnesses
 - Advising and counselling clients
 - Alternatives to litigation
- Preparing to commence action
- Function, form and style of pleadings
 - Drafting statements of claim
 Drafting pleas and special pleas
- Drafting replications and further pleadings

- Drafting exceptions, applications to strike out and objections to a charge
 - Drafting applications
- Preparing the case for trial:

Advice on evidence

- · Preparing the case for trial:
- **Assembling the evidence**
- Preparation for trial: Legal research
- Preparation for trial: Fact analysis and strategy
 - The protocol and etiquette of the courtroom
 - Opening statement
 - Examination-in-chief
 - Cross-examination
 - · Re-examination
- Special procedures
 - Closing argument
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All you need to know



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Enjoy the journey!

Prof M Karels and Dr T Mokoena

DEPARTMENT OF CRIMINAL AND PROCEDURAL LAW