

**Mock Trial**

Code: 44217  
ECTS Credits: 6

Degree	Type	Year	Semester
4313312 Legal Profession	OB	1	A

**Contact**

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**Teachers**

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**Use of Languages**

Principal working language: catalan (cat)

**External teachers**

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**Prerequisites**

No prerequisites are required to complete this Module.

**Objectives and Contextualisation**

The aim of this Module consists in the acquisition by the student of the appropriate competences (skills, attitudes and knowledge) to practice as a Lawyer in the different jurisdictional areas, specifically, in the civil and criminal ones. Hence, the Module aims to provide the students with their first practical experiences as a defendant lawyer in several procedural acts.

**Competences**

- Choose the correct strategy for defending clients' rights, while keeping in mind the particular demands of each area within professional practice.
- Communicate and justify conclusions clearly and unambiguously to both specialist and non-specialist audiences.
- Integrate knowledge and use it to make judgements in complex situations, with incomplete information, while keeping in mind social and ethical responsibilities.
- Know the techniques for ascertaining the facts in different types of procedure, especially the production of documents, examination and expert evidence.
- Present facts and their corresponding legal implications orally and in writing, in a way that is appropriate to the context and the addressees and, where necessary, to the established procedures.

- Put into practice the specialist academic knowledge acquired on the degree programme in order to avoid damage, risk or conflict with respect to clients' interests or regarding professional practice before the courts and other authorities and when offering consultancy services.

## Learning Outcomes

1. Communicate and justify conclusions clearly and unambiguously to both specialist and non-specialist audiences.
2. Conduct negotiations aimed at avoiding proceedings.
3. Integrate knowledge and use it to make judgements in complex situations, with incomplete information, while keeping in mind social and ethical responsibilities.
4. Master the techniques for gathering evidence.
5. Master the techniques of trial examination.
6. Present facts and their corresponding legal implications orally and in writing, in a way that is appropriate to the context and the addressees and, where necessary, to the established procedures.
7. Reflect the correct strategy in written and oral arguments throughout the process.

## Content

The content of this Module is integrated by two major elements. On the one hand, the preparation of cases and procedural acts related to the simulation procedures. On the other hand, the drafting and the holding of oral performances (audiences, hearings, trials ...) that are part of these processes.

## Methodology

The module consists of three sections: the simulation of civil judgments, the simulation of criminal trials and the interuniversity competition (triangular university competition of simulated trials).

### I) Simulation of civil processes

- This section will be carried out in six sessions.

-Each group (40 students) will be split into two subgroups (of 20 students each).

- Throughout the six sessions, each subgroup will analyse an "Ordinary" type process case and a "Verbal" type process case.

-The simulation of the Ordinary process trial will consist of the following activities:

1) Drafting of the lawsuit and written answer to the lawsuit: these drafting will be done and delivered previously to the beginning of this Module. Specifically, these drafting will be done at the end of the Civil Litigation Module but assessed in this one. Moreover, In order to be able to draft these writings the basic information of the case will be published when needed at the appropriated time.

2) Simulation of the "Previous Audience" procedural Act. 1st session: under the direction and supervision of the professor, the simulation of this procedural act will be done by the students. Previously they will have to chose the role they are going to play: defendant lawyers of both parties.

3) Preparation of the trial: 2nd session: with the supervision of the professor , students will prepare the trial (attorneys' interventions, evidence practice , experts, etc....).

4) Simulation of the trial: 3rd session: As a real trial, hence, under a judge lead, the simulation of this procedural act will be done where students will have to take on the role of lawyer of the parties involved, the parties themselves, witnesses, experts, etc.

-The simulation of the Verbal process trial will consist of the following activities

1) Preparation and study of the case: 4th session: consists in analysing the problems of the case as well as discussing the different procedural strategies. Previously, students will be given the documentation required to prepare it.

2) Preparation of the hearing: 5th session: with the professor's support the students will prepare the celebration of this procedural act (interventions of the lawyers, evidence proposals and practice ...).

3) Simulation of the hearing: 6th session: Under the Judge leading, the simulation of this procedural act will be carried out where students will have to choose on the roles of lawyers, parties, experts, witnesses, etc.

## II) Simulation of Criminal processes

-This section will be carried out in five sections

-Each group (40 students) will split into two subgroups (of 20 students each).

-Throughout the five sessions each subgroup will analyse three different cases.

-The activities that will be carried out will be as follows:

1) Drafting of accusation and defense writings: This activity will only be done in one of the three cases that each subgroup will study. These draftings will be done and delivered previously to the beginning of this Module. Specifically, these draftings will be done at the end of the Criminal Litigation Module but assessed in this one. Moreover, in order to be able to draft these writings the basic information of the case will be published when needed and at the appropriate time.

2) Preparation of the trials: 1st, 2nd and 3rd sessions: under the supervision of the professor, the different problems presented by the three criminal cases that each subgroup has assigned will be analysed. Previously, students will be given the necessary documentation to prepare this.

3) Simulation of the trials: 4th and 5th sessions: Under a judge lead, the simulation of the oral act of the different cases will be carried out, where the students will have to assume the roles of lawyer, parties, prosecutor, witnesses, peers, etc.

## III) Interuniversity competition

-The preparation for this competition will be achieved in five sessions.

-The first session, addressed to all the Module students, will be explanatory and informative.

-The remaining four sessions will unfold among the students who opt for the simulation of civil trials and those who do so for criminal trials. These sessions will be used to prepare the cases that will be defended on the day of the contest.

## Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Teacher's explanation	3	0.12	3
Type: Supervised			
Preparation of oral Proceedings	30	1.2	5, 4, 2, 3
Simulation of oral proceedings	15	0.6	5, 4, 1, 6
Type: Autonomous			

Drafting og writings	45	1.8	7, 3, 6
Personal work of the student	48	1.92	7, 3, 6

## Assessment

All the activities of the Module will be evaluated, thus simulation of civil, criminal and the simulation within the Interuniversity competition will be assessed individually and will be part of the final mark

-The activities that will be evaluated and the ratio of each one in the final grade:

I)Simulation of Civil processes (40% of the final grade)

1) Participation in the preparation of trials simulation and participation in the procedural acts in the different roles: a) Delivery of drafting, elaboration of schemes, search of bibliography and jurisprudence, etc.: 10%; b) Celebration of the oral procedural act hearing- : 85%

2) Class attendance: 5%

II)Simulation of Criminal processes (40% of the final grade)

1)Participation in the preparation of the trials simulations and procedural performance in the different roles: Delivery and submission of the drafting, elaboration of schemes, search of bibliography and jurisprudence, etc: 10%; b)Celebration of the oral procedural act: 85%

2)Class attendance: 5%

III)Interuniversity Competition (20% of the final grade)

1)Participation in the preparation of the simulations and procedural performance in the different roles: 75%

2)Class attendance: 25%

-The final qualification of the Module will be the result of summing up the grades obtained in the three previous sections (I), (II) and (III).

- Class attendance will be only taken into account in the final qualification when it is at least 90% of the sessions of the whole Module.

-In case that in the Interuniversity Competition, the number of students who wish to intervene on the day of the competition is bigger than the number of places foreseen by the organization to do so, the selection of the participants will be done accordingly with the academic record of the aspiring.

Once the completion of the civil and criminal simulation trials, the professors of each of these sections will set a date so that students who wish to do so can make a timely review.

## Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Celebration of the oral procedural act hearing	68%	6	0.24	5, 4, 7, 1, 6
Class attendance	9%	0	0	3
Delivery of drafting, elaboration of schemes, search of bibliography and jurisprudence, etc.	23%	3	0.12	2, 7, 3, 6

## **Bibliography**

Each teacher will recommend the most appropriate bibliography according to the case study content.