



MASSACHUSETTS SCHOOL OF LAW at ANDOVER  
25 MASSACHUSETTS CASES EVERY CRIMINAL PRACTITIONER SHOULD KNOW

Fall 2018

Professor Rodriguez

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**TWEN:** [www.lawschool.westlaw.com](http://www.lawschool.westlaw.com)

**Text(s):** *Assigned Cases and Materials*

**Day/Time:** Saturdays – 8:00am to 10:30am

**Grading:** Practical Exercise: DiBennadetto Motion A Oral Argument  
Practical Exercise: Lampron Motion & Oral Argument  
Practical Exercise: Motion to Suppress (Memorandum Only) & Oral Argument  
Mid-Term  
Final Exam

You are *expected to participate in all class discussions*.

**I reserve the right at any time during the semester to modify and/or change the course grading.**

**Lack of attendance and/or class participation has the potential to impact negatively on the semester grade.**

## Course Requirements & Class Participation

### Class Attendance:

Students must come to class prepared to brief cases and for class discussion. You are expected to be in class and to participate. Individuals who have more than **three** unexcused absences during the semester may have their semester grade lowered by as much as one-third of a grade.

Attendance is taken at the beginning of class. You will be marked absent if you are not present when attendance is taken.

### Notes And Tape Recorders In Class

I follow the syllabus and I test what I teach. Do all of the assigned readings and attend class and you will be prepared for the exams. It is necessary that you develop an effective method of recording and retaining the materials as they are taught and discussed. Because classes are interactive it is not advisable to take copious notes. Research strongly indicates that students who attempt to use word processors to “transcribe” class discussions perform less well on exams than do those students who actively participate in class. Use of tape/digital recorders are allowed in this class and may be preferable for you.

The purpose of class is to learn the law through discussion. By doing so, you will develop the analytical skills necessary for excellence as a competent attorney. This is unlikely to be achieved if your focus in class is merely being a scribe.

## CLASSROOM DECORUM

All students are expected at all times to conduct themselves in a civil manner as follows:

1. **Timeliness.** Arrive on time. Late arrivals are disruptive. Frequent late arrivals will be excluded from the classroom.
2. **Cell Phones and Messaging.** There will be ***no cell phone use in class***, with the exception of extraordinary circumstances. All cell phones must be turned off before the class begins.

If there is a family emergency requiring you to be reachable, approach me before class and inform me of the situation. In such an event you may keep your cell phone on if it has a “vibrate” only option.

In the event that your cell phone or other device disturbs the class you will be told to leave the classroom immediately and will be marked as absent for the class.

3. **Laptop Computers.** While many colleges and professional school are banning laptop computers form classroom, I believe that they can be a useful classroom tool. Arrive early enough to start your laptop prior to class such that start up noises will not be disruptive to other students.

If I determine that you are using the computer for other than legitimate classroom purposes you will be immediately told to leave and will be marked absent for the class.

4. **Talking in Class.** This is an interactive class, and it is normal for there to be a bit of a “buzz” while we are discussing a case, a principle or a hypothetical. You are expected to listen while others are talking and to respond when called upon. Civility is expected at all times by all students.
5. **Eating/Drinking in Class.** Eating in class is strongly disfavored. I understand that stressed-for-time students are often unable to take meals at normal hours, and therefore snacks and drinks will be tolerated as long as they are not disruptive. I will not tolerate full meals, full “submarine” sandwiches, or anything of the like. I also will not tolerate undue noise such as stubborn plastic wrappers. I will ban all foods and drinks in class if, in my opinion, they are becoming a distraction.
6. **Civility Above All Else.** Each of you will be treated at all times with courtesy and respect, and will treat others with equal civility at all times. In our class discussion, we will argue issues but never personalities.

