This syllabus indicates the current plan for constructing this course. Deviations may be necessary and an updated syllabus likely will be provided.

Office Hours:

- Tuesdays: 1:00 p.m. – 5:00 p.m.
- Thursdays: 3:00 p.m. – 5:00 p.m.

Class Meeting Days and Times:

- Tuesdays, 6:30 p.m. – 9:20 a.m.
- Fridays, 9:30 a.m. – 11:00 a.m. (occasionally)

Room: TBD

Required Texts:


ISBN: 978-1-4224-8223-0

Course Description:

This course is a Trial Advocacy practical skills portion of the Litigation Track. It is being taught in coordination with Criminal Procedure and Evidence. Students will take the doctrinal lessons from Criminal Procedure and Evidence and apply them to problems in the context of trial skills training. You will learn trial practice theory and develop your skills with direct examination, cross-examination, opening statements, closing arguments. We will use a variety of learning modalities to develop your understanding of trial theory and your practical trial skills. The course will culminate with all students working in teams to conduct a trial.

Course Objectives/Goals:

This course is designed to be the capstone for the litigation skills track. The course has been planned with several objectives in mind. First, the course will allow you to put into a practical context the doctrinal lessons from criminal procedure and evidence. Second, the course will emphasize learning
through *doing*. Each student will be required to practice each skill necessary to conduct a trial. Finally, students will develop an appreciation for both the benefits and the limitations of an adversarial litigation system. Trials involve risks for your clients, as well as potential rewards. While trials may be fun for lawyers, we must never lose sight of what is at stake for our clients. This course will help students to develop an understanding of the uncertainty that is inherent in all litigation.

**Learning Outcomes:**

at the conclusion of this course, students will be able to:

--- articulate a theme and theory for a case;

--- develop a case narrative or story, and understand how to tell that story through witness testimony and other evidence;

--- conduct direct examinations and cross-examinations, impeach witnesses, object and answer objections, and deliver opening statements and closing arguments;

--- understand the importance of motions practice and jury instructions;

--- stand on their feet in a court of law.

**Course Expectations:**

**Attendance and class participation:** Class attendance is mandatory, and you will receive no credit for this course if you miss more than 20% of the class sessions; also, I reserve the right to mark you absent if you are late or unprepared for any class. You are responsible for finding out about announcements made in class and material covered during the class you missed. As a professional student, you are expected to come to class prepared (with the required texts and handouts), having completed the assigned readings for the class session, and prepared to perform the required skills lesson. Class participation is essential. You cannot pass this class without fully participating in the weekly skills sessions and the trial we will conduct.

**Lateness to Class / Leaving Early / Use of Cellphones / Internet Surfing / Instant Messaging / Recording:**

None of the above listed conduct is acceptable in this class. On these issues, students are held to the same standards as lawyers in the courtroom. Thus, if a student is late, when that student enters the class, the student must apologize to the class for interrupting the lesson. If a student is consistently or unjustifiably late, it will affect participation points. (See below). If you leave early from any class, you will be counted absent, unless, in my discretion and with prior authorization, I decide otherwise.

Cell phone ringers must be turned off during class. Students are not permitted to surf the internet, instant message, text, email, record this class or make other unauthorized use of technology during class.

**Electronics use policy:** During class, you may use word processing software to type notes and may access websites related to the class, but you are not permitted to use technology for purposes unrelated to class. Unauthorized use of electronic devices may result in your being deemed absent from class, and I reserve the right to ban in-class use of these devices entirely if they distract other students.

**Attendance/Professionalism/Other Expectations:**
Please read the College of Law policy regarding attendance. There are no “excused” absences. I expect students to come to class on time, prepared, and willing to add to class discussions. I require that class discussions reflect tolerance for, and respect of, others’ perspectives and views.

Evaluation:

I will evaluate students based upon their performance in class during the semester and in their preparation for and performance during trial. There will be no final examination.

Students with Disabilities:

Students whose disabilities necessitate accommodation must comply with the notice and documentation requirements of the College of Law. Students who wish to receive an accommodation should, within the first month following initial registration, make an appointment with the Assistant Dean of Students in order to become informed of these requirements. If you wish to receive accommodation for disability, you are responsible for reviewing The Handbook for Students with Disabilities, available from the College of Law Registrar’s Office. You have certain obligations and responsibilities surrounding the accommodations and services provided by the University of La Verne and the College of Law, and must pay particular attention to the requirements for timely documentation outlined in that document.
Trial Advocacy
Course Outline

I. Week 1: Introduction to Trial Advocacy & Case Development
   Reading: Text, Chapters 1 & 2 (pp. 1-50).

II. Week 2: Motions Practice & Jury Selection
    Reading: Text, Chapters 3 & 4 (pp. 51-110).

III. Week 3: Direct Examination
     Reading: Text, Chapter 6 (pp. 167-232)

IV. Week 4: Direct Examination / Trial Exhibits and Demonstrative Evidence
     Reading: Text, Chapter 7 (pp. 233-76)

V. Week 5: Cross-Examination
     Reading: Text, Chapter 8 (pp. 277-322)

VI. Week 6: Cross-Examination
     Reading: Text, Chapter 9 (pp. 323-48)

VII. Week 7: Closing Argument
     Reading: Text, Chapter 11 (pp. 423-70)

VIII. Week 8: Closing Argument (cont’d)
      Reading: Read ahead

IX. Week 9: Opening Statement
      Reading: Chapter 5 (pp. 113-66)

X. Week 10: Opening Statement (cont’d)
       Reading: Read ahead

XI. Week 11: Expert Witnesses
       Reading: Chapter 10 (349-422)

XII. Week 12: Final Trial Preparation
Final Trials (Dates and places to be announced).

An amended Syllabus likely will follow.