

Syllabus
Advanced Trial Techniques
Summer Semester 2019
University of La Verne College of Law

Instructors:

David Williams, Judge of the Superior Court, County of San Bernardino
Jon Ferguson, Judge of the Superior Court, County of San Bernardino

Texts: *The Art and Science of Trial Advocacy (TEXT)* by Perrin, Caldwell & Chase (2d Edition) (LexisNexis)

Case Files for Basic Trial Advocacy (Casebook) by Caldwell, Chase, Goodno & Perrin (LexisNexis)

Office Hours: By appointment.

Course Objective: The goal of this course is to provide students with an opportunity to build on the basic skills learned in the trial advocacy portion of the second year litigation track. As the authors of the assigned text suggest, the process is both an “art” and a “science”. Our hope is that you will leave the class with a further understanding of the legal and procedural requirements of the trial process (i.e. the “science”), as well as a feel and appreciation for the creative part of the presentation (the “art”).

While some classroom time will be spent on lecture and discussion, the majority of class time will involve students performing various exercises involving different aspects of trial work. These weekly exercises will be taken from the Case Files book, and will be assigned throughout the course, with a schedule based on final class size.

There will be a “final exam” at the end of the course, consisting of a mock trial conducted by 2-person teams.

This course is designed to satisfy the requirements of ABA Standard 310. Standard 310 requires that for each hour of in-class time, students spend two hours preparing for class (reading or completing class assignments or assessments).

Attendance and Grading: Attendance is mandatory. Students are required to arrive on time for class and stay for the duration of the session. Late arrivals and early departures will result in the student being marked absent for the entire class. Please refer to the College of Law policy on absences to avoid being administratively withdrawn from the class.

Grading will be as follows:

50%: Final Trial (not determined by judgment or verdict)

50%: Class Exercises/Participation (focus on preparation and skill development)

Reading Assignment before First Class: Text pp. 1-34 and 113- 166

Class 1 (June 4th) Lecture: Trial Overview, Principles of Persuasion, Opening Statement,

Reading “Assignment”: Text pp. 1-34 and 113- 166,

Opening Statement Exercise assignments to be provided at the end of class.

Class 2 (June 11th) Exercises: Opening Statements/ Lecture: Direct and Cross Examination

Assignment: Case File Exercises (TBD)

Reading Assignment: Text pp. 167-348

Direct and Cross Exam Exercise assignments to be provided at the end of class.

Class 3 (June 18th) Exercises: Direct and Cross Examination

Assignment: Case File Exercises (TBD)

Class 4 (June 25th) Exercises: Direct and Cross Examination

Assignment: Case File Exercises (TBD)

Class 5 (July 2nd) Exercises: Direct and Cross Examinations/Lecture: Closing Arguments

Assignment: Case File Exercises (TBD)

Reading “Assignment”: Text pp. 423-470.

Class 6 (July 9th) Exercises: Closing Arguments

Lecture: Jury Selection

Reading Assignment: Text: pp. 71-111.

Assignment: Case File Exercises (TBD)

Class 7 (July 16th) Jury Selection Exercise

Assignment: Case File Exercises (TBD)

Class 8 (July 23rd) Final Trial(s)

Assignment: Case File Exercises (TBD)

Disability Accommodations

Students with disabilities should refer to the policies described at the University of La Verne Disabled Student Services Handbook which can be found on the website of the University of La Verne Disabled Student Services website (<https://sites.laverne.edu/>) or at their office. Temporary accommodations are offered on a case by case basis. All required documentation must be submitted by the student before any formal accommodations and should be made directly to the Director of Student Affairs.

Any student eligible for and requesting academic accommodations due to a documented disability (or a suspected disability) is asked to contact the College of Law Director of Student Affairs and Americans with Disability Act Compliance Officer, Akita Mungaray by email at amungaray@laverne.edu or by phone at (909) 460-2017. Her office is located on the first floor of the College of Law, Office # 107. You can also contact Cynthia Denne at the University of La Verne Disabled Student Services office at (909) 448-4441. The office is located at the La Verne campus Health Center. In order to be considered for accommodations, disabilities must be documented and the proper medical evaluations must be submitted. The office is here to help you succeed in law school. Visit it online at <https://sites.laverne.edu/disabled-student-services/>.