

TRIAL ADVOCACY
LAWS 679
WILLIAM WITHERSPOON

Spring, 2012, Thursday 4:20 - 6:30 ROOM 239

REQUIRED TEXT: T. Mauet, Trial Techniques. The Federal Rules of Evidence are found in the back of Mauet and will apply in class. This is a pass/fail course. During the class, you will be assigned exercises which will require you to be a lawyer or witness. Problem assignments will be given each week from “Problem and Cases in Trial Advocacy” a.k.a Nita and “Materials in Trial Advocacy” by Mauet and Wolfson a.k.a M&W. (On reserve in library.)

Office hours: I can be reached at 929-3026 or William.K.Witherspoon@usdoj.gov

Goals: Trial Advocacy is designed to help you develop certain “practical lawyering” skills, including direct examination, cross examination, introduction of exhibits, impeachment and rehabilitation of witness, delivering opening statements, making closing arguments and conducting a full jury trial. In addition, you will have the opportunity to engage in simulations in which you will serve as witnesses, jurors, and clients. These exercises are designed not only expose you to how to do it but also to appreciate the perspectives of each of the participants in a trial. You will also be expected to learn how to both appropriately and strategically to use the rules of evidence in the courtroom. Also you will be expected to learn the written and unwritten rules and practices of courtroom demeanor including the Rules of Professional Conduct. Lawyers need these skills and knowledge to represent clients competently by being able to counsel clients about what to expect if their case ends up in court.

CLASSES, READING ASSIGNMENTS, AND SIMULATIONS

<u>Date</u>	<u>Subject</u>
1/12	Introductory Class: Read chaps. I and II
1/19	Direct & Cross intro. Read Chapter. V, Chapter VII (pp. 251 -276, pp. 303-310) & Chapter X. of Mauet; Exercises: 1, 2 and 3 in Nita and Problem 3.12 in M&W
1/26	Exercises: Direct & Cross Problems 3.9, 3.10, 3.14, and 3.2 in M&W
2/02	Exhibits class: Read Chp. VI; Exercises: Problems 20, 24, 25 in Nita, 3.8 in M&W
2/09	Exercises: Exhibit Problems: 3.3, 3.4, 3.15, and 4.1 in M&W
2/16	Exercises: Exhibit Problems: 4.5, 4.13, 4.14, 4.17, and 4.21 in M&W
2/23	Impeach. & Rehab. Read pp. 277-303, Problems 5.6, 5.10, 5.12, 5.13, 5.14, 5.15
3/01	Opening Statements and Closing Arguments: Read Chap IV and IX- lecture and demonstration
3/3 – 3/11	Spring Break
3/15	Exercise: 5 minute opening statements (this class may last longer than 2 hours.)
3/22	Exercises: 5 minute closing arguments (this class may last longer than 2 hours.)
3/29	Make up sessions

Trials April 2 – 6 FULL TRIALS: Trials will be at 7:00 p.m. in 239 except on Thursday when it will begin at 4:00. Two students will be assigned to each side. You are expected to supply prepared witnesses. NO WITNESS WILL BE ALLOWED TO READ THEIR TESTIMONY. All students must attend at least two trials as jurors.