**UNIVERSITY OF BALTIMORE SCHOOL OF LAW**

**2018 SPRING SEMESTER**

**Course:** TRIAL ADVOCACY

Law 825

Section 311

**Instructor:** Lawrence S. Greenberg (Adjunct)

Office: 6 E. Biddle St., Baltimore, MD

410-539-5250 - CALL FOR INDIVIDUAL CONSULTATION

**Days/Time:** Tuesday — 1:30 p.m.-4:15 p.m.

**Location:** TBD

The purpose of this Trial Advocacy course is to prepare students for a smooth transition from the study of law to the practice of law. The objectives of this program are educational and practical, and the students will learn both how to think and to execute like a trial lawyer. The best way to learn these skills is to practice them.

Trial Advocacy’s purpose is to develop litigation skills that serve any area of legal practice. Skills are honed in a “controlled clinic” environment using a hands-on teaching style. The Trial Advocacy Program focuses on “learning by doing” with practical instruction, demonstrations, feedback and critique used to direct student learning. Students perform exercises in class under the guidance of the Professor Greenberg, a trial lawyer, as well as other seasoned trial lawyers and experienced state trial court judges.

Trial Advocacy teaches students how to speak persuasively, how to conduct direct and cross examinations, and how to prepare and present persuasive opening and closing arguments. Students are also taught how to impeach witnesses, tender experts and introduce evidence. Students learn to analyze facts and think on their feet while displaying a dynamic courtroom presentation. Trial Advocacy students have the opportunity to attend and compete in regional, state and national trial advocacy competitions. Trial Advocacy provides students with the foundation to successfully advocate, in the future, for real clients in the courtroom.

The majority of classes will be devoted to the examination of witnesses to be conducted by student-attorneys. The class will be divided into groups for assignment purposes. For each problem, the two groups have discrete assignments, and the class should be prepared to do one side of each problem. Students must also be prepared to play the role of a fact or expert witness.

The majority of the cases are in Trial Techniques and Trials, Tenth Edition, by Thomas A. Mauet, published by Wolters Kluwer. All of the substantive reading for the course is also in this book. You will receive an access code to CaseConnect, an online database that contains the case samples, videos, and other online samples that will provide you with additional guidance and knowledge. Cases will involve bench and jury trial. It is anticipated that we will have multiple guest judges, lawyers, and other people to assist with your learning.

At the end of the semester, two full trials will be conducted with students performing the roles of attorneys and witnesses in the first trial and a reversal of roles in the second. No other final examination will be required.

Each witness will be prepared by the attorney calling him or her to the stand. The witness is expected to be aware of any prior testimony or statement he has given with regards to the case.

Students will also engage as an evaluator of their peers and submit a brief written critique of each attorney's performance. The evaluator should analyze elements such as style, control, substance, knowledge of evidence, preparation and all other criteria that impact upon an attorney's effectiveness inthe examination of witnesses.

As I am an Adjunct Professor, I do not have an office at the law school. However, my main office is located two blocks from the law school at 6 E. Biddle St. In Baltimore. My telephone number is 410-539-5250, or you can reach me larry@greenberglawyers.com. Feel free to call or schedule an appointment with me any time about the course or matters entirely unrelated to it.

**Grades:**

 Students will be graded on class preparation and organization, as well as classroom performance. However, I recognize that trial advocacy is not simply to award those who excel at public speaking. I value those students who improve over time. Students will also critique themselves, and others, throughout the class to improve the skills of all students.

**Attendance:**

Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor. A student who exceeds the maximum allowed absences (generally 20% of class sessions) as illustrated below may be compelled to withdraw from the course or may be barred from sitting for the final exam. Students who are forced to withdraw for exceeding the allowed absences may receive a grade of FA (failure due to excessive absence). This policy is consistent with American Bar Association Standards for Law Schools.

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| --- | --- | --- |
| Credit Hours | Meetings Per Week |  |
|  | 1 | 2 |
| 2 | 2 absences | 5 absences |
| 3 | 2 absences | 5 absences |
| 4 | -- | 5 absences |

gular Semester Hours

**Course Website:**

This course has a TWEN page that will link to the syllabus, announcements, the class assignments, and other class materials. You are responsible for self-enrolling in the TWEN page and for checking it regularly for course information.)

**Computers:**

Students may use laptop computers for class related purposes.

**Class Cancellation:**

If the instructor must cancel a class, notices will be sent to students via email and posted on the classroom door. If there is inclement weather, students should visit the University of Baltimore web site or call the University's Snow Closing Line at (410) 837-4201. If the University is open, students should presume that classes are running on the normal schedule.

**Academic Integrity:**

Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University and/or School of Law. Violations of academic integrity include, but are not limited to: cheating, plagiarism, misuse of materials, inappropriate communication about exams, use of unauthorized materials and technology, misrepresentation of any academic matter, including attendance, and impeding the Honor Code process. The School of Law Honor Code and information about the process is available at <http://law.ubalt.edu/academics/policiesandprocedures/honor_code/>.

**Title IX Sexual Misconduct and Nondiscrimination Policy:**

The University of Baltimore’s Sexual Misconduct and Nondiscrimination policy is compliant with Federal laws prohibiting discrimination. Title IX requires that faculty, student employees, and staff members report to the university any known, learned or rumored incidents of sex discrimination, including sexual harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence or sexual exploitation and/or related experiences or incidents. Policies and procedures related to Title IX and UB’s nondiscrimination policies can be found at <http://www.ubalt.edu/titleix>.

**Disability Policy:**

If you are a student with a documented disability who requires an academic accommodation, please contact Leslie Metzger, Director of Student Services, at 410-837-5623 or lmetzger@ubalt.edu.