

**UNIVERSITY OF BALTIMORE SCHOOL OF LAW
SUMMER SEMESTER 2015**

Course: Trial Advocacy
LAW 825-512

Instructor: John M. Leovy
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Days/Time: Mondays and Wednesdays 6:15-8:15 p.m.

Location: TBA

Course Description: This course is devoted primarily to exercises by students in direct and cross-examination of witnesses and to opening and closing statements in both civil and criminal cases. The exercises are critiqued with respect to both substance and courtroom demeanor. At the conclusion of the course, students, acting in teams, take part in full trials. **Prerequisite:** Evidence [Limited Enrollment; Max 12 students]

Course Materials: Materials in Trial Advocacy, Mauet, Wolfson, and Easton (7th Ed.); Trial Techniques, Mauet (9th Ed.)

Course Objectives and Outcomes: Students taking this class will become trial attorneys. They will learn skills that will help them in any litigation setting, including jury trials, bench trials, arbitrations, and contested hearings. The course is intensely practical; although reading and preparation are required, students learn how to be trial lawyers by doing the work. In addition to learning the nuts and bolts of trial work, students taking this course will learn persuasive techniques that have proved effective for thousands of years and apply them in a modern courtroom context. The course may also explore how improvisational theater skills can improve courtroom performance.

Students will practice opening statements, direct and cross examinations, and closing arguments. They will learn how to offer real and demonstrative exhibits into evidence and how to oppose such offers. They will perform in class as prosecutors, plaintiffs, defense attorneys, and witnesses. Because students will also try two cases as part of the class, they will learn how to develop effective case theories.

Grades: Students will be evaluated over the course of the semester based on the following factors: (1) consistent incorporation of points learned from faculty critique into each successive performance of a skill; (2) consistent preparation to perform each exercise as both an attorney and a witness; (3) consistent level of effort and performance of individual trial skills and at the mid-term

and final trials, demonstrating mastery of the goals and objectives of the course; (4) performing in a professional manner throughout the course by attending all sessions, maintaining the appropriate standards of courtroom etiquette and attire, treating colleagues, trial partners, opposing counsel, faculty, and all other persons with dignity, fairness, and respect.

Assignments/Participation: Classes are cooperative and fun. Each student comes to class with different gifts and everyone can improve. Accordingly, classes are not competitive and all students are expected to help each other learn how to be the best trial attorneys possible.

Because students learn from each other in class, everyone is expected to attend and be prepared for every class. Readings from the text will be required along with preparation of the assigned problems from Materials in Trial Advocacy. All students are expected to participate in all class activities and attempt all assigned problems when asked.

Class Schedule (subject to modification):

May 18: Introductory Remarks, Direct and Cross Examination problem 3.9.
May 20: Problems 3.10, 3.11, 3.12, with emphasis on direct examination.
May 27: Exhibit problems 4.1, 4.8, 4.11, 4.12. Foundation problems 3.1, 3.2.
June 1: Foundation problems 3.3, 3.8. Direct and cross problems 3.13, 3.14, 3.15, 3.16.
June 3: Brief lecture on opening statements. Problems 3.17, 3.18, 3.19, 3.20, 4.23.
June 8: Impeachment. Problems 5.3, 5.5, 5.6, 5.8.
June 10: Case theory for mid-terms trials. Short opening statements on mid-term trials.
June 15: Mid-term trial.
June 17: Mid-term trial.
June 22: Brief lecture on closing arguments. Problems 5.9, 5.10, 5.11, 5.12, 5.13.
June 24: Case theory and two-witness problems 7.2 and 7.6.
June 29: Closing arguments for final trials.
July 1: Final trial.
July 6: Final trial.

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 allowable allowances as illustrated below [Attendance Policy: <http://law.ubalt.edu/academics/pdfs/Attendance.pdf>] 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 WA (withdrawal due to excessive absences) or a grade of WF.

Course Web Page:

This course has a LEXIS or TWEN webpage that links to this syllabus, announcements, the class assignments, helpful treatises, overheads, and other class materials. You are responsible for self-enrolling in the webcourse and you should check the webcourse regularly.

Computers

Students may use laptop computers for class-related purposes. However, because each class will require students to perform as if on trial, computer use is unnecessary and discouraged for any purpose other than creation and display of courtroom exhibits.

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 page or call the University's Snow Closing Line at (410) 837-4201. If the University is not closed, 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 the School of Law. Violations of academic integrity include, but are not limited to: cheating; plagiarism; misuse of library materials; use of another's book or study materials without consent; unapproved multiple submissions; material misrepresentation of one's academic history or standing; misrepresentation of any academic matter; intentionally giving another student false or inaccurate information about class requirements; inappropriate discussion of exams; and misrepresenting or falsifying class attendance reports. [Reference to School of Law Honor Code

https://law.ubalt.edu/academics/policiesandprocedures/honor_code/index.cfm]

Disability Policy

If you are a student with a documented disability who requires an academic accommodation, please contact Karyn Schulz, Director of Disability Support Services at 410-837-4141 or via email at kschulz@ubalt.edu.