

# TRIAL ADVOCACY

## LAW 329

### GEORGE MASON UNIVERSITY SCHOOL OF LAW PROFESSOR MICHAEL L. DAVIS

#### COURSE OUTLINE

- A. Monday, August 20, 2001 -
  - 1. Introduction
  
- B. Monday, August 27, 2001 -
  - 1. Reading Assignment
    - a) Case Study
    - b) Code of Virginia § 8.01-271.1
    - c) Rule 11, Fed. R. Civ. P.
    - d) Rule 4:1, Va. Sup. Ct.
    - e) Rakes v. Fulcher, 210 Va. 542 (1970)
  
  - 2. Court System
  
  - 3. Pleadings In General
  
  - 4. Initial Pleadings
    - a) Motion For Judgment (Complaint)
    - b) Defensive Pleadings
  
  - 5. Pre-Trial Discovery
    - a) Interrogatories
    - b) Request for Production of Documents
    - c) Requests for Admission
    - d) Discovery Cut-Off
  
    - i) Status Conference Order (Fairfax Circuit Court)
    - ii) Pre-Trial Scheduling Order (U.S. District Court)

C. Monday, September 17, 2001 -

1. Depositions

- a) Notice of Deposition
- b) Formal communication to client with Suggestions Concerning Deposition

2. Criminal Practice and Procedure

Reading Assignments

- a) Rule 3A:11 -- Discovery and Inspection
- b) Rule 3A:12 -- Subpoena

D. Monday, September 24, 2001 -

1. Jury Selection

- a) Occupation
- b) Gender

2. Voir Dire

5. Monday, October 1, 2001 -

- 1. Preparation of Exhibits
- 2. Opening Statement
- 3. Investigation and Preparation of Witnesses
- 4. Presentation of Evidence (Direct Examination)

F. Monday, October 15, 2001 -

- 1. Cross-examination (of a Bank Robber)
- 2. Preserving the record
- 3. Certain Incidences of Evidence

G. Monday, October 22, 2001 -

- 1. Closing Arguments
- 2. Jury Instructions

H. Monday, October 29, 2001 -

1. Use of Experts at Trial
  - a. Reading Assignments
    - 1) Fed.R.Civ.P.702
    - 2) Fed.R.Civ.P.703
    - 3) Fed.R.Civ.P.704
    - 4) Fed.R.Civ.P.705
    - 5) Va. Code § 8.01 - 401.1, Supp.
    - 6) Va. Code § 8.01 - 401.3, Supp.
    - 7) McMunn v. Tatum, 237 Va. 558 (1989)

1. "The Big Show - Putting it All Together"

I. Saturday, November 10, 2001 -

1. Trial #1 -
  - a) Players
  - b) Jury Instructions

J. Sunday, November 11, 2001 -

1. Trial #2 -
  - a) Players
  - b) Jury Instructions
  - c) Stipulation

K. Saturday, November 17, 2001

1. Trial #3 -
  - a) Players
  - b) Jury Instructions

12. Sunday, November 18, 2001 -

1. Trial #4 -
  - 1) Players
  - 2) Jury Instructions