

TRIAL ADVOCACY

LAW 329

GEORGE MASON UNIVERSITY SCHOOL OF LAW

PROFESSOR MICHAEL L. DAVIS

COURSE OUTLINE

- A. Thursday, August 22, 2002 -
 - 1. Introduction

- B. Thursday, August 29, 2002 -
 - 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. Thursday, September 5, 2002 -

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. Thursday, October 3, 2002 -

1. Jury Selection

- a) Occupation
- b) Gender

2. Voir Dire

E. Thursday, October 10, 2002 -

1. Preparation of Exhibits

2. Opening Statement

3. Investigation and Preparation of Witnesses

4. Presentation of Evidence (Direct Examination)

F. Thursday, October 17, 2002 -

1. Cross-examination (of a Bank Robber)

2. Preserving the record

3. Certain Incidences of Evidence

- G. Thursday, October 24, 2002 -
 - 1. Closing Arguments
 - 2. Jury Instructions

- H. Thursday, October 31, 2002 -
 - 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)

- I. Thursday, November 7, 2002 -
 - 1. Objections
 - a. Depositions
 - b. Discovery
 - c. At trial

- J. Thursday, November 14, 2002 -
 - 1. Presentation of Evidence and Exhibits at Trial

- K. Thursday, November 21, 2002
 - 1. "The Big Show" - putting it all together

- L. Saturday, November 23, 2002 -
 - 1. Trial #1-
 - a) Players
 - b) Jury Instructions
 - c) Stipulation

M. Sunday, November 24, 2002 -

1. Trial #2

- a) Players
- b) Jury Instructions