

**TRIAL ADVOCACY
CLASS ASSIGNMENTS
FALL 2005
LAURA L. ROGERS**

Prior to first class

From Trial Techniques (Mauet) read Chapters 11, 1 and 12

PLEASE NOTE: THE FIRST CLASS WILL BE HELD ON AUGUST 29. THERE WILL BE NO CLASS ON AUGUST 22.

Class 1:

- Introduction to class
- Discussion:
 - Trial notebooks
 - Trial tactics
 - Hearsay
 - FRE/ Objections
 - Stipulations, judicial notice
 - Use of theme and jury selection

Class 2:

- Read: Chapters 2, 3 and 10.7(1)
- Exercise: Jury Selection
- Prepare problems as assigned
- Discussion: Opening statements

Class 3:

- Read: Chapters 4 and 10.7(2)
- Exercise: Opening statements
 - Statements are to be a maximum length of 4 minutes
- Prepare problems as assigned
- Discussion: Direct Examination

Class 4:

- Read: Chapters 5 and 10.1-10.6
- Exercise: Direct Examination
- Prepare problems as assigned
- Discussion: Cross Examination

Class 5:

- Read: Chapter 7.1-7.6, reread 10.6
- Exercise: Cross Examination and objecting
- Prepare problems as assigned
- Discussion: Direct examination, laying foundations, use of demonstrative

evidence and entering exhibits

Class 6:

- Read: Chapter sections 5.4-5.5
FRE 1001-1006
- Suggested reading: Chapter 6
- Read and memorize:
 - Elements to admit an exhibit, pages 169-173
 - Elements to admit a photograph, page 183
 - Elements to admit a diagram, model, map, page 185
 - Elements to admit records, page 149
 - Elements to admit photocopies, page 211
- Exercise: Direct examination, laying foundations, entering exhibits, objections
- Prepare problems as assigned
- Discussion: Use of demonstrative evidence, refreshing recollection and recollection recorded

Class 7:

- Read: Chapter sections 5.6 and 5.8
FRE 612
- Read and memorize:
 - Elements to prove recorded recollection, page 210
 - Elements to refresh recollection, page 146
- Exercise: Direct examination with use of exhibits, refreshed and recorded recollection, objections
- Prepare problems as assigned
- Discussion: Character evidence

Class 8:

- Read: Chapter sections 5.9-5.14 and 7.9(2)
FRE 404-406, 608,610, 803(19)(21), 201
- Exercise: Character witnesses: Direct and cross examination
- Prepare problems as assigned
- Discussion: Impeachment and rehabilitation of witnesses. Review of direct and cross examination goals.

Class 9:

- Read: Chapter sections 7.6-7.8
FRE 407-411, 607, 609, 613
- Read and memorize:
 - Elements to admit conversations, page 140
 - Elements to admit telephone conversations, page 141-145
- Exercise: Impeachment and rehabilitation of witnesses
- Prepare problems as assigned

- Discussion: Tactics for direct and cross examination

Class 10:

- Read and recall:
 - Elements to admit an exhibit, pages 169-173
 - Elements to admit a photograph, page 183
 - Elements to admit a diagram, model, map, page 185
 - Elements to admit records, page 149
 - Elements to admit photocopies, page 211
- Exercise: Direct and cross examination, use of demonstrative evidence, impeachment
- Prepare problems as assigned
- Discussion: Expert witnesses

Class 11:

- Read: Chapter 8
FRE 701-705
- Exercise: Qualifying and disqualifying an expert witness
- Prepare problems as assigned
- Discussion: Closing arguments

Class 12:

- Read sections: 1.14, 10.7(3), 9.3-9.7 and 11.10
- Exercise: Closing arguments
 - Arguments are to be a maximum length of 4 minutes
- Prepare problems as assigned

Final session:

- Trial exercise
- Date: To be announced
- Time block: 4 hours