

**TRIAL ADVOCACY  
CLASS ASSIGNMENTS  
FALL 2005  
PROFESSOR CULLY STIMSON**

**NOTE: Class Scheduled for August 25<sup>th</sup> cancelled.**

**Before 1<sup>st</sup> Class of September 1, 2005**

- From Trial Techniques, read: 1-29; 463-497; 499-513

**Class 1: Introduction to Class**

- Introduction to Class
- Discussion:
  - Trial Process
  - Rules of Evidence
  - Objections (familiarize self with objections on p. 472)
  - Trial Tactics
  - Trial Notebook
  - Pre-Trial Motions
- Demonstration of Pre-trial Motions

**Class 2: Pre-Trial Motions**

- Exercise: Pretrial Motions as assigned
- Discussion: Jury Selection
- Demonstration of Jury Selection

**Class 3: Jury Selection**

- Exercise: Jury Selection as assigned
- Read: Chapter 3 and 10.7(1)
- Discussion: Opening Statements
- Demonstration of Opening Statement

**Class 4: Opening Statements**

- Exercise: Opening Statements as assigned
- Read: Chapters 4 and 10.7(2)
- Discussion: Direct Examination
- Demonstration: Direct Examination

### **Class 5: Direct Examination**

- Exercise: Direct Examination problems
- Read: Chapter 5
- Review Chapter 10; especially p. 472; 10.1-10.6
- Review Refreshing Recollection at 5.6
- Review Recorded Recollection at p. 210 and FRE 803(5)
- Demonstration: Cross Examination

### **Class 6: Cross Examination**

- Exercise: Cross Examination problems as assigned
- Read: Chapter 7.1-7.6
- Prepare Problems as assigned
- Discussion: Foundations; Demonstrative Evidence; Exhibits
- Demonstration: Foundations; Demonstrative Evidence; Exhibits

### **Class 7: Foundations; Demonstrative Evidence; Exhibits**

- Exercise: Problems as assigned
- Read Chapter 6
- Review FRE 1001-1006
- Discussion: Tactical Considerations
- Demonstration: Use of Exhibits

### **Class 8: Direct and Cross Continued**

- Exercise: Problems as assigned
- Read 5.9-5.14 and 7.7-7.9
- Witnesses: character; adverse; hostile; transcripts; judicial notice
- FREs: 404-406; 608, 610, 803(19)(21)

### **Class 9: Direct and Cross continued**

- Exercise: Problems as assigned
- Read 7.6-7.8
- Impeachment and rehabilitation
- FRE: 407-411, 607, 609, 613

### **Class 10: Direct and Cross continued: Use of Demonstrative Evidence**

- Read and recall: pp. 169-173; 183; 185; 149; 211
- Exercise: problems as assigned

- Discussion: Expert witnesses

### **Class 11: Expert Witnesses**

- Exercise: problems as assigned; qualification of expert witnesses
- Read: Chapter 8
- FRE: 701-705
- Discussion: Closing Arguments

### **Class 12: Closing Arguments**

- Read: 1.14; 10.7(3); 9.3-9.7; 11.10
- Exercise: problems as assigned
- Discussion: trial strategy for final examination

### **Final Examination:**

- Trial of State v. Diamond
- Date: TBD
- Time commitment: 4 hours in total