

TRIAL ADVOCACY

LAW 329-001

GEORGE MASON UNIVERSITY SCHOOL OF LAW

PROFESSOR MICHAEL L. DAVIS

COURSE OUTLINE

A. Monday, May 18, 2009 -

1. Introduction

B. Wednesday, May 20, 2009 -

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) 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. Wednesday, May 27, 2009 -

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, June 1, 2009- *

1. Jury Selection

- a) Occupation
- b) Gender

2. Voir Dire

E. Wednesday, June 3, 2009 - *

1. Preparation of Exhibits

2. Opening Statement

3. Investigation and Preparation of Witnesses

4. Presentation of Evidence (Direct Examination)

F. Monday, June 8, 2009 -

1. Cross-examination (of a Bank Robber)

2. Preserving the record

3. Certain Incidences of Evidence

G. Wednesday, June 10, 2008 -

1. Closing Arguments
2. Jury Instructions

H. Monday, June 15, 2009 -

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. Monday, June 22, 2009 -
Objections

1.
 - a) Depositions
 - b) Discovery
 - c) At Trial

J. Wednesday, June 24, 2009 - *

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

K. Monday, June 29, 2009 - *

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

L. Wednesday, July 1, 2009 *

Trial # 3

- a) Players
- b) Jury Instructions

***Designated Students must bring at least one (1) non-legal juror to these sessions.**

TRIAL ADVOCACY
Law 329-001
Summer 2009

Professor Michael L. Davis
Room #122

Class Schedule

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|--------------------------|------------------------------------|
| Monday, May 18, 2009 | 6:00 p.m. – 8:00 p.m. |
| Wednesday, May 20, 2009 | 6:00 p.m. – 8:00 p.m. |
| Monday, May 25, 2009 | (Memorial Day – No Class) |
| Wednesday, May 27, 2009 | 6:00 p.m. – 8:00 p.m. |
| Monday, June 1, 2009 | 6:00 p.m. – 8:00 p.m. * |
| Wednesday, June 3, 2009 | 6:00 p.m. – 8:00 p.m. * |
| Monday, June 8, 1009 | 6:00 p.m. – 8:00 p.m. |
| Wednesday, June 10, 2009 | 6:00 p.m. – 8:00 p.m. |
| Monday, June 15, 2009 | 6:00 p.m. – 8:00 p.m. |
| Monday, June 22, 2009 | 6:00 p.m. – 10:00 p.m. (Trial #1)* |
| Wednesday, June 29, 2009 | 6:00 p.m. – 10:00 p.m. (Trial #2)* |
| Wednesday, July 1, 2009 | 6:00 p.m. – 10:00 p.m. (Trial #3)* |

***Students so designated must bring at least one (1) non-legal juror to class.**