COURSE NAME: TRIAL ADVOCACY II

COURSE NUMBER: 8703

PROFESSOR: S. RAFE FOREMAN

ESSENTIAL PREREQUISITES: TRIAL ADVOCACY I

DESIRABLE PREREQUISITES: CRIMINAL PROCEDURE, CIVIL PROCEDURE I & II, EVIDENCE

REQUIRED COURSE BOOKS:
1) “TRIAL ADVOCACY PLANNING, ANALYSIS, AND STRATEGY”
   by Marilyn J. Berger, John B. Mitchell, and Ronald H. Clark (Aspen)
2) “TRIAL ADVOCACY ASSIGNMENTS AND CASE FILES”
   by Marilyn J. Berger, John B. Mitchell, and Ronald H. Clark (Aspen)
3) “FEDERAL RULES OF EVIDENCE WITH OBJECTIONS”
   by Anthony J. Bocchino and David A. Sonenshein (NITA)

METHOD OF GRADING & APPRAISAL OF STUDENT FOR GRADE:
Graded Course based on:
  10% Written Assignments
  10% Class Participation
  20% Trial Skills Presentations
  10% Trial Notebook
  50% Final Trial preparation and performance

SUMMARY DESCRIPTION OF COURSE:
This is an “advanced skills course” in which students learn advanced techniques of trying a civil and/or criminal case. The two hour class period is divided with the first half being student skills demonstrations and the second half a lecture or demonstration of an aspect of trial (voir dire, opening, direct examination, cross examination, exhibits, closing arguments, etc.). Trial Advocacy II is a combination of logical case analysis applied to specific moments in a trial. It is a “learning by doing” course – you develop your ability by applying the skills taught in the context of the case analysis and the substantive law. You will analyze case files, prepare exercises based upon that analysis, and then perform portions of a trial in a simulated courtroom environment. The course concludes with a simulated jury trial.
COURSE CONTENT:
Subject matter for this course includes case analysis, opening statements, direct and cross examinations, objections, use of exhibits and technology, closing arguments, and jury selection and instructions.

COURSE OUTCOMES/LEARNING OBJECTIVES:
- Advance beyond the basics of how to try a case
- Enhance your ability to analyze cases and to recognize what evidence, witnesses, and testimony can help and/or hurt your case
- Competently perform in the common situations lawyers face every day in court
- Master skills of direct, cross, closing, opening, and voir dire
- Master skills of theory and theme development

RELEVANCY OF COURSE FOR CAREER PURPOSES:
The goal is to turn you into a “trial ready” advocate so you can take your skills directly from the classroom to the courtroom.

RELEVANCY OF COURSE FOR MO/MULTI-STATE BAR EXAMINATION:
Evidence is tested on the bar exam. This course reinforces knowledge of the rules of evidence. Also, this course teaches rules of civil and criminal procedure which are tested on the bar exam. Finally this course allows you to gain context and application for torts, contracts, property, and other essential courses.