

WESTERN STATE UNIVERSITY
COLLEGE OF LAW

TRIAL PRACTICE 489 A & C
FALL 2013

Class 489A: Wednesday 6:30 PM – 9:45 PM
Class 489B: Thursday 6:30 PM -9:45 PM
Moot Court Room – 4th Floor - Western State Campus

Professor Mark A. Sevigny

msevigny@wsulaw.edu

SYLLABUS

COURSE OBJECTIVES

The objective of this course is to give the student the experience, skills, and knowledge necessary to be an effective advocate in a civil or criminal jury trial. The student will have an opportunity to actually participate in each phase of the trial process. There will be mandatory reading assignments and preparation assignments, but the great majority of our class time (more than 75%) will be spent on student presentations of the different segments of a jury trial.

COURSE PREREQUISITES

It is very strongly recommended that students have already completed the required Evidence course.

REQUIRED TEXTS

Materials in Trial Advocacy, by Mauet and Wolfson, **Seventh Edition**, ISBN-0-7355-5631-7
Trial Practice, by Dubin and Guernsey, 1991

Highly Recommended:

Making and Meeting Objections II, by Wenke, 2006

GRADING AND EXAMINATIONS

Each student will receive a numeric grade for the course. The grade will be based on attendance, homework, preparation, verbal contributions to the class, and performances of various phases of jury trials including the Final Trial. The Final Examination involves presenting a complete jury trial from Jury Selection to Closing Argument in a four-hour period.

Attendance and preparation are extremely important. **Pre-class preparation is the basic foundation of every attorney's trial performance.** If the student is not present during the class, he/she cannot "practice" trial skills, nor can the student learn from observation of fellow students' performances. Any unexcused absence may reduce the course grade. According to Western State policy, a student who misses more than two classes will be academically disenrolled.

WEEKLY ASSIGNMENTS
Trial Practice 489A
FALL 2013
Wednesday 6:30 PM -9:45 PM

Professor Mark A. Sevigny

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(TP) Trial Practice
Dubin & Guernsey

(MTA) Materials in Trial Advocacy -7TH EDISION
Mauet & Wolfson

DATE	SUBJECT	ASSIGNMENT FOR CLASS
1. August 28, 2013	Introduction, Course Requirements, Introduction of Exhibits	TP Ch. 1
2. September 4, 2013	Opening Statement	TP Ch. 3 MTA 9.1, 9.6, 9.12
3. September 11, 2013	Direct and Cross Examination	TP Ch. 4, 5, 6, 7 MTA 3.3, 3.6, 3.9
4. September 18, 2013	Direct and Cross Examination	TP Ch. 4,5,6,7 MTA 3.12, 3.13, 3.16, 4.12
5. September 25, 2013	Direct and Cross Examination	TP Ch. 4,5,6,7 MTA, 4.13, 4.15, 4.21, 4.23
6. October 2, 2013	Direct and Cross Examination	TP Ch. 4,5,6,7 MTA 4.25, 5.2, 5.6, 5.13
7. October 9, 2013	Cross Examination of Defense Witnesses	TP Ch. 4,5,6,7 MTA 7.1, 7.2, 7.8
8. October 16, 2013	Cross Examination of Defense Witnesses	TP Ch. 4,5,6,7 MTA 7.1, 7.2, 7.8
9. October 23, 2013	Cross Examination of Expert Witnesses	TP Ch. 8 MTA 6.4, 6.9, 6.10
10. October 30, 2013	Closing Argument	TP Ch. 9 MTA 8.1, 8.3 8.5
11. October 6, 2013	Voir Dire/Jury Selection Jury Instructions Assignment of Finals Teams	TP Ch. 2 MTA 9.1, 9.4, 9.12 MTA
12. November 13, 2013	Motions in Limine for Final	TBD
13. November 20, 2013	Final Exam #1 - Jury Trial	TBD
14. November 27, 2013	Final Exam #2 – Jury Trial	TBD

WEEKLY ASSIGNMENTS
Trial Practice 489B
FALL 2013
Thursday 6:30 PM -9:45 PM

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(TP) Trial Practice
Dubin & Guernsey

(MTA) Materials in Trial Advocacy -7TH EDISION
Mauet & Wolfson

DATE	SUBJECT	ASSIGNMENT FOR CLASS
1. August 22, 2013	Introduction, Course Requirements, Introduction of Exhibits	TP Ch. 1
2. August 29, 2013	Opening Statement	TP Ch. 3 MTA 9.1, 9.6, 9.12
3. September 5, 2013	Direct and Cross Examination	TP Ch. 4, 5, 6, 7 MTA 3.3, 3.6, 3.9
4. September 12, 2013	Direct and Cross Examination	TP Ch. 4,5,6,7 MTA 3.12, 3.13, 3.16, 4.12
5. September 19, 2013	Direct and Cross Examination	TP Ch. 4,5,6,7 MTA, 4.13, 4.15, 4.21, 4.23
6. September 26, 2013	Direct and Cross Examination	TP Ch. 4,5,6,7 MTA 4.25, 5.2, 5.6, 5.13
7. October 3, 2013	Cross Examination of Defense Witnesses	TP Ch. 4,5,6,7 MTA 7.1, 7.2, 7.8
8. October 10, 2013	Cross Examination of Defense Witnesses	TP Ch. 4,5,6,7 MTA 7.1, 7.2, 7.8
9. October 17, 2013	Cross Examination of Expert Witnesses	TP Ch. 8 MTA 6.4, 6.9, 6.10
10. October 24, 2013	Closing Argument	TP Ch. 9 MTA 8.1, 8.3 8.5
11. October 31, 2013	Voir Dire/Jury Selection Jury Instructions Assignment of Finals Teams	TP Ch. 2 MTA 9.1, 9.4, 9.12 MTA
12. November 7, 2013	Motions in Limine for Final	TBD
13. November 14, 2013	Final Exam #1 - Jury Trial	TBD
14. November 21, 2013	Final Exam #2 – Jury Trial	TBD