

STETSON LAW SCHOOL
LAW 3920-04 TRIAL ADVOCACY
WEDNESDAYS, 6:10 P.M. TO 10:00 P.M.

SPRING 2015 SYLLABUS

INSTRUCTOR

Jeffrey G. Brown, Esq.
Brown & Doherty, P.A.
450 Carillon Parkway, Suite 120
St. Petersburg, FL 33716
(727) 299-0099
jeff@brownanddoherty.com

Please note that on my website www.brownanddoherty.com, is a header “Law Students.” Click on this header for school updates. I will post all school related information here.

**I am available to meet at my office. Should you need to schedule a time to meet with me, please schedule through my Paralegal, Jennifer McAbee. (jennifer@brownanddoherty.com)*

REQUIRED TEXTBOOKS

Reading: McElhaney’s Trial Notebook, 4th Edition. McElhaney **ISBN: 9781590315033**

In Class: Materials in Trial Advocacy, 7th Edition. Mauet. **ISBN: 9780735510449**

COURSE DESCRIPTION

At the end of this semester, you will be expected to put together a mock trial of a criminal case. We will focus on becoming familiar with all aspects of trial procedure. You will learn how the legal system expects you to try a case, but not at the expense of losing your natural style and advocacy. You will be expected to take the theories and procedures learned, apply them in your individual and unique way, and begin the journey of a trial lawyer so that you can provide effective representation for your client in the courtroom. This class is demanding. Being a good trial lawyer takes effort and a willingness to open yourself up to failure, but by trial and error, and sometimes tough critique, you will surprise yourself at what you are capable of doing and becoming. At the end of this class, you will either love the courtroom or know it is not the place for you. Either way, you will emerge a better lawyer.

COURSE REQUIREMENTS:

A. Class Preparation and Participation: There will be an emphasis, *a huge emphasis*, on class discussion and analysis of the materials. Therefore, each student must be fully prepared for each class. **Fully Prepared.** Keep in mind that 75% of your final grade will be based on class participation.

B. Final Examination: There will be no final examination per say, but you will be graded on your mock trial at the end of the semester. This will account for 25% of your final grade. You will be graded on your performance at that trial, i.e. how well you incorporated what you learned into the trial. You will not be graded based on the verdict in the case.

C. Class Attendance Attendance records will be kept at the start of each class and will be maintained consistent with the law school's general policy – students must attend at least 80% of all classes.

PROPOSED SCHEDULE:

*Note: This is a proposed schedule and is subject to change based on how fast and/or slow the class absorbs the materials. Also, you are expected to have read the materials and problems before class and you will be called upon at random. Be prepared just like you would if in an actual trial. Preparation beats talent...most of the time.

January 14, 2015 – First day of Class; Introductions

January 21, 2015 – Reading: I. Planning to Win
II. Trial Preparation

In Class: Lecture – Trials

January 28, 2015 - Reading: III. Starting the Trial

In Class: Lecture – Jury Selection
1.6 Criminal: Sexual Assault
(Prepare both sides)

February 4, 2015 - Reading: none

In Class: Lecture – Opening Statements
9.11 Criminal Mail Fraud
(Prepare both sides)

- February 11, 2015 – Reading: IV. Evidence
V. Foundations and Objectives
- In Class: Lecture – Introducing Evidence
4.1 Gun
4.3 Knife
4.11 Diagram of Intersection
4.12 Diagram of House
4.23 Summary Chart
4.25 E-mail and Website Messages
- February 18, 2015 – Reading: VI. Direct Examination
- In Class: Lecture – Direct Examination I
3.1 Conversations and Telephone Calls (Direct Only)
3.3 Refreshing Recollection and Recorded Recollection (Direct Only)
3.9 Policeman on Surveillance (Direct Only)
- February 25, 2015 – Reading: none
- In Class: Lecture – Direct Examination II
3.4 Refreshing Recollection and Recorded Recollection (Direct Only)
3.13 Battery Victim: Changed Testimony (Direct Only)
3.15 Robbery Victim and Bank Diagram (Direct Only)
- March 4, 2015 – Reading: VII. Cross-Examination
IX. Tactics and Techniques
- In Class: Lecture – Cross-Examination I
3.1 Conversations and Telephone Calls (Direct and Cross)
3.3 Refreshing Recollection and Recorded Recollection (Direct and Cross)
3.9 Policeman on Surveillance (Direct and Cross)
- March 11, 2015 – Reading: none
- In Class: Lecture – Cross-Examination II
3.11 Robbery Victim (Direct and Cross)
3.13 Battery Victim: Changed Testimony (Direct and Cross)
3.15 Robbery Victim and Bank Diagram (Direct and Cross)

