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## POLS 304-01, Trial Procedure, Fall 2004

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# **POLITICAL SCIENCE 304 TRIAL PROCEDURE**

Marcus D. Pohlmann  
Professor of Political Science  
Office Hours:  
Tu 2-4 Th 10:30-12:30  
or by appointment

## **PURPOSES OF THE COURSE**

The course has at least six distinct purposes. It is designed to provide: (1) knowledge of trial procedure, so that the student will come to better understand the functioning of the United States judicial process; (2) opportunities to construct and test logical arguments; (3) opportunities to think on one's feet; (4) opportunities to develop public speaking techniques; (5) a basis upon which the instructor can choose the College's intercollegiate mock trial team, and (6) a chance to begin constructing the team's cases in preparation for competition.

## **COURSE REQUIREMENTS**

Readings  
Class Attendance and Critiques of Fellow Students  
Out-of-Class Practice and Preparation  
In-Class Public Speaking  
In-Class Performances in Mock Trial Lawyer and Witness Roles  
Written Examinations

## **COURSE TEXTS**

Thomas A. Mauet, Fundamentals of Trial Technique (2002)  
Marcus Pohlmann, Class Notes (2004)  
American Mock Trial Association, Rules and Case (downloads)  
[www.collegemocktrial.org](http://www.collegemocktrial.org) [passwords in handout]

### **optional:**

Glen Weissenberger, Federal Evidence: Courtroom Manual

## GRADES

Letter grades will be based on the following criteria:

Written examinations (80%)

Performance (20%):

- Attendance (in class and at out-of-class team practices)
- Critiques of fellow student's public speeches and mock trials
- Preparation and effort in one's own public speech and trial roles
- Demonstrated understanding of trial procedure exhibited in both mock trial performances and critiques of others' performances
- Cooperation and overall effort on in-class mock trial teams

**n.b.:** This course will meet from 2:40 until 6:00 each Tuesday and Thursday, but it will be concluded by the middle of October. Arrange your schedule so that you can attend the full class each and every time. Missing classes or leaving early will be penalized.

Exam Rule: Looking at previous years' exams is not allowed and will be viewed as a serious violation of the Honor Code. When you pledge your exams, you will be pledging in part that you have not seen any such materials.

## COURSE OUTLINE

Course Introduction w/ public speaking discussion	August 25 Read: Lecture Notes, pp. 1-2
<b>I. Trial Procedure</b>	
A. Direct Examination w/ speeches, <b>quiz</b> , demonstrations	August 30 Read: Mauet, chaps. 5, 6 Lecture Notes, pp. 3-8
B. Cross-Examination w/ speeches, <b>quiz</b> , demonstrations	September 1 Read: Mauet, chap. 7 Lecture Notes, pp. 9-14
C. Objections/Rules of Evidence w/ speeches, <b>quiz</b> *	September 8 Read: Mauet, chap. 10 Lecture Notes, pp. 15-22 MRE, MRP, MRPCD

\*Understand rules, procedures & strategies, but no need to memorize rule no.s -- yet.

D. Openings and Closings  
w/ speeches, **quiz**

September 13  
Read: Mauet, chaps. 4, 9  
Lecture Notes, pp. 23-28

A. Witnesses  
w/ speeches, **quiz**

September 15  
Read: Mauet, chap. 8  
Lecture Notes, pp. 29-33

E. Attorneys  
w/ speeches, **quiz**

September 20  
Read: Mauet, chaps. 11, 12  
Lecture Notes, pp. 34-38

## II. Mock Trials

September 22            Team 1 (P) vs. Team 2 (D)

September 27            Team 3 (P) vs. Team 4 (D)

September 29            Team 5 (P) vs. Team 6 (D)

October 4                Team 2 (P) vs. Team 3 (D)

October 6                Team 4 (P) vs. Team 5 (D)    Team 6 (P) vs. Team 1 (D)

**October 9 (Saturday) INTERCOLLEGIATE SCRIMMAGE (2 rounds)**

October 10                Intercollegiate Teams announced

October 11                **FINAL EXAM, Awards Ceremony  
(last meeting of PS 304)**

**POLITICAL SCIENCE 305  
MOCK TRIAL (part one)**

October 11	Intercollegiate Teams meet
October 13	Intercollegiate Teams practice
<b>FALL BREAK</b>	
October 20	Intercollegiate Teams practice
<b>October 21</b>	<b>Teams 873 and 874 leave for ECU</b>
October 25	Intercollegiate Teams practice
October 27	Intercollegiate Teams practice
<b>October 29</b>	<b>Team 872 leaves for Kansas University</b>
November 1	Intercollegiate Teams practice
November 3	Intercollegiate Teams practice
<b>November 4</b>	<b>Team 874 leaves for Eastern Illinois (tent.)</b>
November 8	Intercollegiate Teams practice
November 10	Intercollegiate Teams practice
<b>November 12</b>	<b>Team 873 (874) leaves for MTSU</b>
<b>November 12</b>	<b>Team 872 leaves for Iowa City</b>
<b>November 19-21</b>	<b>Blues City Challenge (872, 873, 874)</b>
November 22	Intercollegiate Teams practice
November 29	Intercollegiate Teams practice
December 1	Intercollegiate Teams practice
December 6	Intercollegiate Teams practice
December 8	Intercollegiate Teams practice