

CRIMINAL TRIAL PRACTICE SYLLABUS

		Hon. Carol S. Ball
Week 1 -	Introduction,	Trial Techniques.
	Lecture:	Opening Statements .
Week 2 -	Lecture:	Direct Examination.
	Exercise:	Opening Statements.
Week 3 -	Lecture:	Direct/Cross-Examination.
	Exercise:	Direct Examination.
Week 4-	Lecture:	Cross Examination.
	Exercise:	Direct/Cross-Examination.
Week 5-	Lecture:	Cross Examination.
	Exercise:	Direct/Cross-Examination.
Week 6-	Lecture:	Exhibits and Demonstrative Evidence.
	Exercise:	Cross-Examination.
Week 7 -	Lecture:	Experts.
	Exercise:	Exhibits and Demonstrative Evidence.
Week 8 -	Lecture:	Closing Argument.
	Exercise:	Experts.
Week 9-	Lecture:	Mock Trials.
	Exercise:	Closing Argument.
Week 10-	Mock Trials.	

TO: Criminal **Trial Practice Students**

FROM: Judge Carol S. Ball

RE: **Week 2 assignments:** **Opening Statements**

Prepare an opening statement in *Commonwealth v. Page* for one of the parties.
(You have a 10-minute limit.)

Read **Basic Trial Advocacy**, ch. I - 6, pp. 1 - 106.

TO: Criminal Trial Practice Students

FROM: Judge Carol S. Ball

RE: Week 3 assignments: Direct Examination

Prepare a direct examination of Leslie Plant (*Page*)

Witness:

Prepare a direct examination of James Carletti (*Burns*)

Witness:

Read: Basic Trial Advocacy, ch. 7 and 9, pp. 107 - 154 and 221 - 241.

TO: Criminal **Trial Practice** Students

FROM: Judge Carol S. Ball

RE: **Week 4 assignments :** Direct and Cross
Examination; Impeachment

Prepare direct and cross-examination of the following witnesses:

1. Anne Halen (*Page*)

Witness:

2. James Page (*Page*)

Witness:

N.B. Witnesses are instructed to intentionally "forget" something (once) and contradict a prior statement (once) so that attorneys can practice their skills with respect to refreshing recollection and impeachment by prior inconsistent statement.

Read **Basic Trial Advocacy**, ch. 8, pp. 155 - 220.

TO: Criminal Trial Practice Students

FROM: Judge Carol S. Ball

RE: Week 5 assignments: Direct and Cross
Examination; Impeachment

Prepare direct and cross-examination of the following witnesses:

1. Mary Burns (*Burns*)

Witness:

2. Gale Fitzgerald (handout: *State v. Lawrence*)

Witness:

No reading assignment.

TO: Criminal Trial Practice **Students**

FROM: Judge Carol S. Ball

RE: Week 6 assignments: Cross-**Examination**; Adverse Witnesses

On behalf of the Commonwealth, prepare direct testimony of adverse witness Laurence Roberts (*Burns*) - Assume that the sworn statement made by Roberts to defense counsel was provided to the prosecution in discovery.

Witness:

2. Conduct a **cross-examination** of Richard Edwards (**handout:** *State v. Fletcher*)

Witness:

No reading **assignment**.

TO: Criminal Trial Practice Students
FROM: Judge Carol S. Ball
RE: Week 7 assignments: Exhibits and Demonstrative Evidence

Prepare to introduce the following evidence. Prepare exhibits consistent with the information in the case.

1. Screwdriver, gym bag and contents (*Page*) through Officer Lee Roth.

Witness: .

2. Time card in *Hudson* case (handout). Prepare direct and cross-examination of the witness Brenner.

Witness:

3. Diagram, O'Neil Park Area (*Page*) through Officer Lee Roth.

Witness:

Read Basic Trial Advocacy, ch. 10 - 11, pp. 243 - 309.

TO: Criminal Trial Practice Students

FROM: Judge Carol S. Ball

RE: Week S assignments: Experts

Prepare Direct and Cross of microanalyst Rene Jones (handout with attached "teamed treatise")

Witness: (Witness to invent "qualifications" for Rene Jones)

2. Prepare Cross and Redirect of fingerprint expert Fred Bolger (handout with attached "learned treatise")

Witness:

Read Basic Trial Advocacy, ch. 12, pp. 311 - 352.

TO: Criminal Trial Practice Students
FROM: Judge Carol S. Ball
RE: Week 9 assignments: Closing Arguments

Prepare a closing argument for one of the parties in one of the following cases. If you choose the *Burns* case, you must close in class for the other side from that you will be representing at trial.

Each **side has a 10-minute limit.**

Commonwealth v. Page

Commonwealth v. Burns

Read **Basic Trial Advocacy**, ch. 13, pp. 353 - 378.