

Western State University
College of Law

TRIAL PRACTICE §489A Spring 2012
JUDGE RONALD BAUER
JUDGE FRANCISCO FIRMAT
Wednesday evenings
5:30 p.m. – 8:45 p.m.

Class Location

Civil Complex Center, 751 West Santa Ana Blvd. Dept. CX-103
(corner of W Santa Ana Blvd & N Flower)
Dept CX 103, Santa Ana, CA 92701

In the past, students used the parking lot on North Flower behind the annex.. For the first few classes, be sure to have money with you in case you have to use one of the parking structions. Judge Bauer says there is free parking about two blocks away.

Tentative SYLLABUS AND POLICIES

Subject to change

COURSE OBJECTIVES

The objective of this course is to give the student the experience and knowledge so that he/she is not embarrassed the first time out to try a jury trial in Superior Court. This course will provide you with experience in all phases of the jury trial, and with knowledge of key California Code sections that should be known by every trial lawyer. You will start to develop an experiential and pragmatic familiarity with the Evidence Code. **This is an activity class. More than 75% of class time will be spent on activity, less than 25% of class time will be spent on lecture.**

REQUIRED TEXTS

Materials in Trial Advocacy, by Mauet and Wolfson, **NEW** 7th Edition, 2011 ISBN 9780735510449

Making and Meeting Objections II, By Judge Robert A. Wenke, 2006, ISBN 9785193340809
Trial Practice, by Dubin and Guernsey, 1991, ISBN 0087084248X updated 1991 edition

EXAMINATIONS AND GRADING

Each student will receive a numeric grade for the course. Course grades will be based on a final exam given the last session of class and on class participation. The final exam involves putting on a jury trial from jury selection to closing argument in a three- hour period. Attendance will be very important. A student who misses more than two classes will be academically disenrolled. Additionally, any unexcused absence will reduce your course grade.

Messages may be left with Judge Firmat at (714) 834-4662, or preferably at:
Ffirmat@occourts.org

Trial Practice §489A
Judges Firmat and Bauer

READING ASSIGNMENTS

There is no reading assignment for the first session.

The following list of reading assignments is from Spring 2011. This list has NONE of the changes the New Mauet & Wolfson text has – so use it as an FYI only for the time being.

CLASS	TOPIC	READING ASSIGNMENT
1	INTRODUCTION TO THE COURSE	NONE
2	VOIR DIRE	PROBLEM 1.1
3	OPENING STATEMENT	PROBLEM 9.3
4	OPENING STATEMENT	9.6
5	DIRECT AND CROSS EXAMINATION	3.7, 3.8, 3.9, 3.10
6	SAME	4.10, 4.11, 4.12, 4.13
7	OBJECTIONS	TO BE ASSIGNED
8	DIRECT & CROSS EXAMINATION	3.2, 3.3, 3.4, 3.6
9	DIRECT AND CROSS EXAMINATION	PROBLEMS 5.1, 5.2, 5.3, 5.6
10	DIRECT/CROSS, JUDICIAL NOTICE	PROBLEMS 3.14, 3.15, 3.21
11	DIRECT/CROSS OF EXPERTS	6.4, 6.6, 6.9
12	CLOSING ARGUMENT	8.1, 8.2
13	CLOSING ARGUMENT	8.4, 8.6
14	REVIEW, STIPULATIONS, MOTIONS, JURY INSTRUCTIONS	TO BE ASSIGNED
15	JURY TRIAL FINAL EXAM	PROBLEM 9.4