

**Fall 2022 – Courtroom Technology and Advanced Advocacy Syllabus**  
Professor Jared Rosenblatt

**COURSE GOALS AND OBJECTIVES:**

This is a 2-credit course which will teach students advanced trial techniques and the fundamentals of trial advocacy using courtroom technology.

By the end of this course, students should be able to:

1. Conduct full trials with advanced trial advocacy skills of examinations and statements;
2. Utilize courtroom technology software and create state of the art exhibits and documents;
3. Recognize, make and respond to potential objections.

**GRADING:**

100% of the grading will be based on classroom performance and preparation of trial documents. Each week you will receive a grade based on your performance, which will total 70% of final grade. Your final trial will be 30% of your final grade.

**ATTENDANCE AND CLASS PARTICIPATION:**

Regular and prompt attendance is required in all courses. In accordance with ABA standards, students shall be permitted absences up to, but not exceeding 20% of the regularly scheduled classes in any course. Any student who fails to comply with law school attendance policies in a given course may be withdrawn from that course. **If you miss a class and a performance, you will receive zero points for that portion.** After each advocacy performance you have 48 hours to submit your self-assessment.

**Required Books**

- Addison v. Peyton, (2nd Edition)
- State v. Sanchez, (2<sup>nd</sup> Edition)

Both books are NITA case file books. You **must** purchase the hard copy or e-book.

**CLASS ASSIGNMENTS:**

Week 1: Students must be prepared to analyze Addison v. Peyton, (2nd Edition) case. Students will discuss potential themes and theories for the plaintiff/prosecution and defense. List good and bad facts for each side. iPads distribution and discussion of software.

Readings:

People v Anderson, 2017 NY Slip Op 02589 [29 NY3d 69]

The Sneakiest Way Prosecutors Get a Guilty Verdict: PowerPoint, Wired Magazine (December 2014) by Ken Armstrong.

Technology Corner: Visualizing Forensic Data: Evidence Guidelines, Journal of Digital Forensics, Security and Law, Volume 8, Number 2 (2013).

Week 2: Students to prepare at least four PowerPoint slides or Trial Pad slides that will be used in their Opening Statements which will be conducted in Week 3. Professor will discuss and clarify how to use software contained on iPad (Trial Pad and PowerPoint).

Readings:

U.S. v. McMillon, 2008 CAAF LEXIS 242 (2008)

Sucharew v. State, 66 P.3d 59 (Ariz. App 2003)

Displaying Digital Media during Opening Statements, Tactics, Techniques, and Pitfalls, DePaul Law Review Volume 60, Issue 3 Spring 2011

Week 3: Students will deliver 5 minute Opening Statements using PowerPoint on their iPads. Students will learn how to conduct direct and cross-examinations using Trial Pad software. Students will be prepared to discuss NY case law re: use of technology in trials.

Readings:

People v Williams, 2017 NY Slip Op 02588 [29 NY3d 84]

People v. Caldavado, 78 A.D.3d 962 (2d Dep't 2010)

People v. Bryan, 46 A.D.3d 1219 (3rd Dep't 2007)

Week 4: Students will conduct direct and cross examinations of the plaintiff/prosecution witnesses: (TBD from fact pattern to be used) using Trial Pad or PowerPoint and at least two exhibits contained in the case file. Continued discussion on NY case law re: technology use in trials.

Readings:

People v. Baez, 137 AD3d 805

People v. Stevenson, 2015 NY Slip Op 05216

Week 5: Students will conduct direct and cross examinations of the defense witnesses: (TBD witnesses from fact pattern to be used) using Trial Pad or PowerPoint and at least two exhibits.

Readings:

Primacy, Regency, Ethos, and Pathos: Integrating Principles of Communication into the Direct Examination, Notre Dame Law Review, Volume 76, Issue 2

New Visual Technologies in Court: Directions for Research, Law and Human Behavior, Feb. 2003, Vol. 27, Issue 1.

Week 6: Students will conduct 8 minute closing arguments using PowerPoint and Trial Pad. Students will learn how to utilize videos in Trial Pad.

Readings:

Washington v. Salas IV, Court of Appeals of Washington Jan. 8, 2018

New Jersey v. Rivera, 437 N.J. Super. 434, 99 A.3d 847 (N.J. App. Div. 2014) (2014)

Week 7: Students will come prepared to analyze State v. Sanchez, (2<sup>nd</sup> Edition) case file. Students will discuss the good and bad facts for the prosecution/plaintiff and defendant and develop themes and theories for both sides of the case. Students will be introduced to additional trial technology applications including Timeline, PDF Expert and Adobe Acrobat.

Readings:

People v. Jackson, 32 NYS 3d 430

People v. Mora, 57 AD3d 571

People v. Morales, App Division NY November 2010

Week 8: Students will conduct 8-minute opening using Trial Pad, PowerPoint or Timeline using the second case file.

Readings:

Lewis v. State, 744 S.E.2d 21 (Georgia 2013)

Week 9: Students will conduct direct and cross-examination of prosecution witnesses (TBD) using exhibits and technology application(s).

Readings:

Serge v. Commonwealth, 896 A.2d 1170 (PA 2006)

State v. Francione, 46 A.3d 219 (Connecticut 2012)

Week 10: Students will conduct direct and cross-examination of witnesses (TBD) using exhibits and technology application(s).

Readings:

Week 11: Students will conduct 8-minute closings in case using exhibits and technology application(s)

Readings:

People v. Sulayao, 58 AD3d 769 (2<sup>nd</sup> Dept. 2009)

People v. Santiago, 22 N.Y.3d 740 (2014)

Week 12: Full trials

Week 13: Final Trials

Week 14: Final Trials