



**BASIC TRIAL ADVOCACY SYLLABUS, UIC LAW SCHOOL  
TADR 400 (CRN 44606) 2022 SPRING**

**Instructor:** Judge Alfredo Maldonado

**Contact Info:**

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[amaldo38@uic.edu](mailto:amaldo38@uic.edu). I do not have an office in the law  
school, but will be available to meet before and after class,  
and am available by e-mail or telephone/text.

**Class Info:**

**Class will meet in person each Tuesday from 6:00 until 9:00  
p.m.**

In case we need to hold class via Zoom, the Zoom login  
information is as follows:

<https://uic.zoom.us/my/almaldonado> -  
Session ID: 689 904 3065.

**Texts/Materials:**

- *Trial Techniques and Trials* 10<sup>th</sup> Edition, Thomas A. Mauet (ISBN-978-1-4548-8653-2);
- *The Illinois Rules of Evidence: A Color Coded Guide*, Hon. Gino DiVito (Ret.) (Available online - to be provided by instructor)

**Selected Problems:**

- *Carson Gray v. Edison Automobile Company*, 2020 American Association for Justice Student Trial Advocacy Competition problem, authored by A. Michael Gianantonio. (Copy to be provided by instructor);
- *People v. Casey Lee*, 2020 American Bar Association National Justice Trial Competition, authored by Prof. Ronald Smith, Kelly Navarro and Victoria Peters. (Copy to be provided by instructor);

- *People v. Hunter Robinson*, authored by Professor Carlos Concepción Castro of the Interamerican University of Puerto Rico School of Law. (Copy to be provided instructor).

**Assignments:**

Given the amount of material that we will be covering in the course, it is imperative that you stay current on all assigned work. The length and complexity of each weekly assignment will vary based on the covered topic. Be sure to plan your schedule accordingly!

**Grading criteria:**

Final grades will be determined by a student's weekly class performance (80%) and final trial performance (20%). In the weekly classes and in the final trial, students will be evaluated on their level of preparation, as a trial attorney and as a witness, as well as the overall effectiveness of the presentation. A grade will be assessed to each student's performance after each class. Absences will be a factor in determining the final grade. Final trials will be held on the last day of class. Each student will participate as a trial attorney and as a witness.

**Expected Workload:**

Under ABA Standard 310, students are expected to spend at least two hours outside class preparing for each hour spent in class. Out-of-class work may include activities such as reading, reviewing, studying, outlining, or otherwise working on material and assignments for class.

**Attendance:**

Attendance is mandatory. A student who misses a class will receive an F for that session. A student who leaves half-way through class will be credited with attending a half-class. In exceptional circumstances, such as religious observances or severe illnesses, a student may petition in writing and state good cause why the attendance policy should be waived. A student absent for more than 25% of the total number of classes meetings will receive a grade of WF (withdraw/fail).

**Academic Integrity:**

**As an academic community, UIC is committed to maintaining an environment in which research, learning, and scholarship can flourish and in which all endeavors are guided by academic and professional integrity. All members of the campus community – students, staff, faculty, and administrators – share the responsibility of insuring that these standards are upheld so that such an environment exists. Instances of academic misconduct by students are governed by law school policies on academic integrity and professional misconduct as well as by the UIC Student Disciplinary Policy. Additional information may be found at <https://law.uic.edu/policy/>.**

**Disability Accommodations:**

**The University of Illinois at Chicago is committed to maintaining a barrier-free environment so that individuals with disabilities can fully access programs, courses, services, and activities at UIC. Students with disabilities who require accommodations for full access and participation in UIC programs must be registered with the DRC at (312) 413-2183 (voice) or (312) 413-0123 (TDD).**

**Video recording:**

**Unauthorized video/audio recording of any class lecture is not permitted. No content from this course may be posted on the internet or social media.**

**Learning Objectives:**

- **Understand goals and strategies of jury selection, and formulate *voir dire* questions;**
- **Prepare and present pre-trial motions *in limine* and know their strategic importance;**
- **Prepare for trial by reviewing jury instructions which explain the law controlling the case;**
- **Know the difference between an opening statement and a closing argument;**
- **Develop a theme and legal theory of a case, and incorporate that theme and theory into your opening statement, direct and cross-examinations, and closing argument;**
- **Identify strengths in your case and how to present your strongest case to a jury;**

- Identify weaknesses in your case and how to develop a strategy to best address them;
- Present an organized and effective direct-examination;
- Lay a proper foundation for exhibits and how to use exhibits during trial and in closing;
- Cross-examine a witness using leading questions designed to elicit testimony and to attack the witness's credibility and credibility of other witnesses;
- Make and strategically use evidentiary objections;
- Present expert witness testimony by qualifying the witness as an expert, and having the witness explain the area of expertise and give opinions relevant to the case;
- Deliver effective openings statements and closing arguments without reliance on notes.

## Semester Schedule

- January 11:** Introduction and Lecture: Basic Principles
- *Trial Techniques and Trials*, pp. 1-27; 31-73
  - Focus on Federal Rules: 102; 201; 301; 302
  - Professor will assign half the students to give opening statements for the defense and half for the State
- January 18:** Opening Statements:  
*People v. Casey Lee*
- *Trial Techniques and Trials*: pp. 75-109
  - Focus on Federal Rules: 601 – 606; 401 - 405
  - Present assigned Opening Statements
- January 25:** Direct Examinations (structure/foundations for conversations/refreshing recollection/past recollection recorded):  
*People v. Casey Lee*
- *Trial Techniques and Trials*: pp. 111-200
  - Focus on Federal Rules: 104; 611, 612; 803(5)
  - Present assigned Direct Examination of Ryan Sills or Terry Frost
- February 1:** Cross-examination (bias, interest & motive/prior convictions/contradictory facts/planning the cross):  
*People v. Casey Lee*
- *Trial Techniques and Trials*: pp. 201-274
  - Focus on Federal Rules: 608 – 610;

- Present assigned Cross-Examination of Jesse Markham or Terry Frost

**February 8:** Cross-examination (impeachment/prior inconsistent statements/omissions):  
***People v. Casey Lee***

- *Trial Techniques and Trials*: pp. 201-274
- Focus on Federal Rules: 613; 801(d)(1)(A)
- Present assigned Cross-Examinations Ryan Sills or Casey Lee

**February 15:** Closing Arguments:  
***People v. Casey Lee***

- *Trial Techniques and Trials*: pp. 447-510
- Present assigned Closing Arguments (1/2 prosecution, 1/2 defense)

**February 22:** Opening Statements:  
***Carson Gray v. Edison Automobile Company***

- Present assigned Opening Statements (1/2 plaintiff, 1/2 defense)

**March 1:** Direct & Cross Examinations:  
***Carson Gray v. Edison Automobile Company*** (hearsay exceptions/foundation/authentication):

- *Trial Techniques and Trials*: pp. 275-379
- Focus on Federal Rules: 802 – 807; 901; 902; 1001-1007
- Present assigned Direct or Cross Examination Carson Gray or Keaton Scent

**March 8:** Direct & Cross Examination (objections):  
***Carson Gray v. Edison Automobile Company***

- *Trial Techniques and Trials*: pp. 511-557
- Focus on Federal Rules: 103;
- Present assigned Direct or Cross-Examinations Carson Gray or Keaton Scent

**March 15:** Experts, Directs and Crosses:  
***Carson Gray v. Edison Automobile Company***

- *Trial Techniques and Trials*: pp. 381-446
- Focus on Federal Rules: 701 - 706

- Present assigned Directs and Crosses of Experts Tony Stork or Nat Romanov

**March 22: NO CLASS – SPRING BREAK**

**March 29: Closing Arguments:**

***Carson Gray v. Edison Automobile Company***

- ***Modern Trial Advocacy*: pp. 435-488**
- Present assigned Closing Arguments (1/2 plaintiff, 1/2 defense)
- Read ***State v. Robbins***, begin preparation in advance of final trials
- **FINAL TRIAL ASSIGNMENTS TO BE GIVEN TODAY**

**April 5: Preparation for Final Trial:**

***State v. Hunter Robbins***

- Review of trial techniques such as impeachment, refreshing recollection, foundations for photographs and diagrams
- Review of trial strategy – how to put on your best case by presenting your strengths and anticipating your weaknesses
- Using the above techniques in the final trial to determine which witnesses to call and which to present by way of stipulation

**April 12: FINAL TRIAL – *STATE V. HUNTER ROBBINS.***