

Pre-Law 301-302
Mock Trial I & II
Fall 2019-Spring 2020

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By appointment only, please.

Coaching Team

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COURSE DESCRIPTION:

This course has the dual purpose of familiarizing students with the American legal system preparing them for American Mock Trial Association competitions during the 2019-2020 academic year. Development of a case for presentation including opening statements, introduction of testimonial, physical, and demonstrative evidence, direct and cross examination of witnesses, closing arguments, etc. will be explored and examined during the course. Students will also participate in competitions on and off campus throughout the semester.

This course is designed to:

- Assist students in their exploration of legal career options and development of professional skills, allowing them to gauge whether and how they might fit into a legal career;
- Provide students with opportunities to gain introductory practical, professional experience in the dynamics of trial advocacy;
- Promote in students an understanding of the judicial system from the rules of evidence to proper court decorum;
- Facilitate for students an understanding of society's approach to justice and to dispute resolution; and
- Acquire confidence, poise, oral skills, critical thinking skills and teamwork skills such as listening and cooperating.

COURSE OBJECTIVES:

- Students will demonstrate critical thinking skills by performing successfully in mock trial competitions that require them to respond to new arguments and situations during the trial.
- Through successful performances as witnesses and attorneys, as measured by instructor observations and scores assigned by outside judges, students will demonstrate oral communication skills.
- Through successful performances as attorneys, as measured by instructor observations and scores assigned by outside independent judges, students will demonstrate an appropriate undergraduate knowledge of courtroom procedures, legal reasoning, litigation techniques and courtroom decorum. Students will demonstrate proficiency through successful performance in practice and in competition, as measured by instructor evaluations and the written feedback provided by independent judges. Students will demonstrate knowledge about the foundations, functions, terminology, sources of law and court structure and procedure.
- Students will demonstrate knowledge of theory and content of law through competent responses to essay and multiple choice questions on examinations and quizzes and through successful application of that knowledge in mock trial litigation.

CALCULATION OF COURSE GRADE:

1. Class Attendance and Preparation (30% of grade):

Regular, consistent class attendance is **MANDATORY** and all students must arrive in class **ON TIME**, familiar with assigned materials, and prepared to practice. Students who neglect to attend class and perform necessary preparation demonstrate contempt for their colleagues, their instructors, and themselves. *This will not be tolerated.* **Only those absences deemed reasonable and unavoidable by the instructors will be excused.** Examples of such absences include medical emergencies, family tragedies, or authorized academic University absences (**NOT extracurricular activities**).

Penalties: The professor reserves the right to penalize excessive, consistent tardiness by marking late arrivals as absences. Students missing three classes will get a half-letter grade reduction. **That includes small group or team practice meetings outside class at times agreed to by your team**, mandatory whole-team activities scheduled outside of class time (scrimmages, travel, tournaments, etc.), etc. **Students who miss twenty percent (20%) or more of the classes over the course of the semester will receive an automatic "F" in the course.**

2. Tournament Performance (30% of grade):

The professor's and team coach's evaluation of student performance in rounds at tournaments, combined with the information provided by the tournament judges on the official ballots, will constitute thirty percent (30%) of the grade. Attending tournaments is a course requirement--a grade of "F" will be entered for any student who fails to meet this requirement, unless excused by the professor and team coach. Please notify your other professors and make appropriate arrangements to complete any missed work. The Mock Trial professor will provide an explanatory letter prior to the tournaments and an official University excuse after returning from the competition.

If you are not assigned to a competition team, coach observation of your performance as a scrimmage partner, your participation in class practices, and other factors will be used to calculate this portion of your grade.

3. Teamwork and Ethics (20% of grade)

Because Mock Trial is a group activity, the professor and team coaches will evaluate students' ability to work with others in a professional and responsible manner. Students must comply with the ethical standards established for the mock trial team by the American Mock Trial Association, the University of Dayton (see the Student Handbook), and by the professor and team coaches. Actions classified as ethical violations include, but are not limited to:

- placing one's individual interests above those of the team
- failing to treat colleagues with due respect
- lying to colleagues, the professor, or team coaches
- engaging in dishonesty in any matter related to mock trial
- violating the rules outlined in the AMTA fact situation and rules, including all rules related to courtesy
- engaging in irresponsible behavior that puts others at risk
- illegal conduct of any sort during class time (travel to and from tournaments, as well as all time spent in the tournament city on tournament weekends would count as "class time")

The professor's and team coach's evaluation of the students' sense of responsibility and integrity in matters related to mock trial competition, combined with his/her contribution to the competence, cohesiveness and general well-being of the team will constitute twenty percent (20%) of the course grade.

4. Alternative Syllabus (50% of grade):

Should a student be unable to work productively as a member of a team or where the student has indicated a desire not to be on a travelling competitive team, the student will be shifted to the alternative mock trial syllabus and be required to complete an independent research project in lieu of participation on a team. **Such a shift will be made at the discretion of the professor and team coaches based upon the collective interest of the team and not for the convenience of the student.** Transfer to the alternative syllabus will carry no academic penalty. The student's grade will be based solely upon the merits of the research project, class attendance, and completion of class assignments. The research project will focus upon the particulars of the law relevant to the current case and will involve a thorough investigation of Federal, Ohio, and Midlands law on the issue raised by the case. The student will be required to summarize the case law and statutes for all three jurisdictions and prepare a brief outlining the theory of the prosecution and defense cases for all three jurisdictions.

5. Assignments and examinations (20% of grade):

All students will complete quizzes and tests based on the rules and policies of the American Mock Trial Association, the rules of evidence, an examination on objections as presented in class, and an examination on the case material.

6. Composition of Competitive Teams/ Assignment of Roles:

The University of Dayton will field at least two competitive teams during the 2019-2020 academic year. Assignment of students to teams and to specific roles and duties is at the discretion of the professor and team coaches following auditions. **The coaches will make all final decisions as to which students play which roles in competition and as to team and travel assignments.** The professor and team coaches may also reassign teams and roles as needed. Reassignments are often based upon factors other than the student's competence (e.g., the Yale tournament may create a conflict for someone taking an exam the first day of exam week) and should not be taken personally.

Also, the professor and team coaches expect all students to maintain **good academic standing** at all times.

Students who enroll in mock trial are expected to make a two-semester commitment, especially if the students are selected to be on one of the competitive teams.

7. Grading Scale:

- A = at least 90% of total points possible
- B = at least 80% of total points possible
- C = at least 70% of total points possible
- D = at least 60% of total points possible
- F = fewer than 60% of total points possible

8. Costs:

The University provides a Mock Trial budget that covers the costs of hotel rooms, airfares, and some meals. Students should be prepared to cover other travel costs. The exact amount will depend on the location of the tournaments, and transportation costs, receipt of bid(s) for ORCs (Cincinnati) or Nationals (#RoadToChiTown!), and factors unforeseen. Students should expect to pay for some of their own meals, gas (we carpool as efficiently as is practical), and some team wear. We will make every effort to limit your cost and we also apply to SGA for reimbursement funds later in the year.

9. Service:

Lawyers are service professionals, so **service learning is expected**. Service points are earned through a couple of TBD projects through the year, and participating in Mock Trial demonstrations for the Pre-Law Program and the Stander Symposium. Consider it recruiting and pro bono practice to get your head and heart in the right place.

10. Attire:

Tournament rules require that most competitors wear business attire. This means suits for attorneys and attire appropriate to the character, status, and position of each witness. Please be prepared to dress appropriately during a two-day tournament. Dressing "appropriately" may also require that students conform to typical courtroom standards in their personal grooming (hairstyle, hair color, body jewelry, etc.). Attorney and educator coaches will assist you in making appropriate choices.

11. Extra Class Meetings; Additional Preparation:

“Seminar” meetings are on Tuesday and Thursday evenings. As the competition season goes on, especially leading up to Regionals, we may also schedule the occasional weekend practice session. As in any other class, students should do preparatory work and additional rehearsal (“homework”) outside of meeting times.

12. Academic Integrity:

Students are advised that the University of Dayton Code of Student Conduct will be strictly enforced in this course, particularly while we travel and represent the University (see below).

13. Behavior While Attending Tournaments:

When attending tournaments, ***you represent the University of Dayton***. You should recognize that we wish to leave a favorable impression upon students and faculty from other institutions. Any behavior that reflects poorly upon UD (***including but not limited to*** temper tantrums at tournaments, refusing to follow coaches’ directives, engaging in illegal behavior or "partying", and generally acting like a bunch of barbarians) will be penalized, i.e. reflected in your grade. SRSLY.

14. Policy Regarding Alcohol and Other Drugs:

UD’s alcohol and drug policies apply to all students at all times, whether we are on campus or traveling. Any participant who violates this policy will be referred for appropriate disciplinary action on our return to campus. It’s as simple as that.

15. 2019-20 Schedule:

To date the following travel commitments have been scheduled. A complete list of invitational, regional qualifying, and national tournaments will be made available once the dates are known.

September XX, 2019, 1-9 PM	Skills Immersion & Bonding Retreat at Jade Smarda’s Home -- Everyone	
<u>TWO October trips:</u>		
October 19-20, 2019	CUBAIT NYC, NY (flying)	A only
October 19-20, 2019	Scarlet & Gray Columbus, OH (1.25 hours)	B only
October 26-27, 2019	Spartan Throwdown Cleveland, OH (3.5 hours)	Both
<u>ONE November trip:</u>		
November 9-10, 2019	Indy Mock-100 Indianapolis, IN (2 hours)	B only
November 9-10, 2019	CMU Swear Me In, Scotty! Pittsburgh, PA, IN (4.5 hours)	Both
<u>ONE December trip:</u>		
December 7-8, 2019	Yale Invitational New Haven, CT (flying)	A only
<u>TWO January trips:</u>		

January 18-19 (??), 2020	Polar Bear Invitational Ada, OH (2.5 hours)	Both
January 25-26, 2020	Hoosier Hoedown Bloomington, IN (3 hours)	Both

Regional Qualifying Tournament
University of Dayton
(WE'RE HOSTING – usually sometime in mid-February, date TBA)
(everyone is competing)

ORCS: Sometime in March, 2020
Xavier University, Cincinnati, OH
(If we qualify, and of course we're going to all qualify.)