COVİD Notice

**Decreasing the Risk of COVID-19 in Classrooms and Labs**

MU cares about the health and safety of its students, faculty, and staff. To provide safe, high-quality education amid COVID-19, we will follow several specific campus policies in accordance with the advice of the Center for Disease Control and Boone County health authorities. This statement will be updated as information changes.

- **If you are experiencing any COVID-related symptoms**, or are otherwise feeling unwell, do not attend in-person classes and contact your health care provider and/or student health immediately. COVID symptoms include: fever greater than 100.4 or chills; cough, shortness of breath or difficulty breathing; fatigue; unexplained muscle or body aches; headache; new loss of taste or smell; sore throat; congestion or runny nose; nausea or vomiting; diarrhea.

- We will all wear **face coverings while in the classroom**, unless you have a documented exemption due to a disability or medical condition.

- We will maintain a **6-foot distance from each other at all times** (except in specific lab/studio courses with other specific guidelines for social distancing).

- We will enter the classroom and **fill the room starting at the front, filing all the way across a row**. When class ends, we will exit the row nearest to the door first; the instructor or TA will give the signal for the next row to exit, in the same manner.

- In any small section or lab class that requires them, **additional measures will be listed in the syllabus and be mandatory for class participation**.

- Online office hours will be available for all students.

- This course may be recorded for the sole purpose of sharing the recording with students who can’t attend class. The instructor will take care not to disclose personally identifiable information from the student education records during the recorded lesson.

Compliance with these guidelines is required for all; anyone who fails to comply will be subject to the accountability process, as stated in the University’s [Collected Rules and Regulations](http://disabilitycenter.missouri.edu), Chapter 200 Student Code of Conduct.
If an instructor has concerns about how a student is following COVID-19 policies and protocols, please report those concerns to the Office of the Dean of Students. You can fill out a COVID Safety Measures Reporting Form here: https://cm.maxient.com/reportingform.php?UnivofMissouriSystem&layout_id=38

By taking the above measures, we are supporting your health and that of the whole Mizzou community. Thank you in advance for joining me and your peers in adhering to these safety measures.

Accommodation/Attendance

Although I usually require physical attendance of every class, the COVID pandemic requires a relaxation of the standard. In the event of COVID related absence or absence related to emergency or illness let me know, or have someone let me know, by email or phone call to 303 704 8164 that there is a COVID related absence an emergency or illness (I do not need to know the nature of the reason for the absence and am not asking for that information).

If you miss a class and are not scheduled to present, you will be responsible for reviewing all video available. You will also arrange to meet with me via ZOOM to discuss the learning points from the class.

If you miss a class and are scheduled to present you will make up that presentation in person or via ZOOM as your circumstances dictate.

Web Camera Requirement

Given the COVID pandemic a web camera is essential for this class. If we need to transition to online at any time, or if weather conditions prevent physical presence, we will conduct the class on-line rather than cancel any class meeting.

Pivoting to Online

The course is designed to work online. Nothing will change for you if we should need to transition to online work for some or all of the semester.

Course Description

This course concentrates on techniques for presenting evidence in trial, opening statements, direct and cross examination of witnesses, preparing jury instructions, and closing arguments. Each student will participate in classroom problems selected from various phases of litigation and in one or more trials.

Learning Outcomes

Students will:
- become familiar with the lawyer’s role as a courtroom advocate;
- learn to apply the rules of evidence at trial;
• develop skills in delivering opening statements, conducting direct and cross examinations, making objections, motions and in making closing arguments;
• learn how pre-trial preparation impacts how lawyer’s work in a trial setting;
• learn how rules of professional conduct impact a lawyer’s work at trial

Course Materials

I strongly recommend you buy:

Thomas Mauet, Trial Techniques and Trials (Aspen, 9th edition) or prior editions like Thomas Mauet, Trial Techniques (Aspen, 8th edition)

And if you really intend to be a true trial advocate you should buy and read: Thinking Fast and Slow by Daniel Kahneman and/or Blind Spot by Banaji and Greenwald and/or Hidden Brain by Shankar Vedantam and/or Blink by Malcom Gladwell.

I have assembled other useful material on the TWEN page for this class. These materials cover all aspects of trial practice and may be sued in lieu of a specific reference book. Use of these materials alone may require extra effort to comprehend their application to any given set of facts. If you choose to rely on these materials, I will be happy to answer questions about their substance and application.

Preparation

Written assignments are due electronically or physically in a timely manner at the designated time. Grades for late assignments will be reduced by 2 points for lateness.

There is no such thing as a “pass” or “taking a pass” should you be called on to add your thoughts to discussions in class. Appearing in class unprepared will reduce your grade by 5 points.

Grading

It is important all students do the assignments, attend class, and participate in class.

Grading will be based on Daily Problems (30 percent), the first trial (30 percent), and the second trial (40 percent). Any written assignment (e.g., scripts, briefs, jury instructions) associated with a course activity will be considered when I assign grades for that activity. In addition, I reserve the right to adjust grades up or down on the basis of class participation and other contributions to the class (e.g., service as witnesses), with a maximum adjustment of three points.

Outside-of-Class Meetings

I strongly encourage you to ask me questions about the how and why of trials and
trial techniques.

I will meet with each of you bi-weekly to discuss your progress in the class and review your video. This is a mandatory part of the class. We will schedule these meetings for 30 minutes to 60 minutes. They will begin after your first problem and continue until the final pretrial conference for your jury trial.

By appointment I will be available for other meetings. Thoughts may and should occur to you over the course of the semester about the work you are doing in class. It is my goal to be available to discuss your ideas and questions with you. I will be as accessible as possible to meet with students outside of class. Feel free to contact me by e-mail or by telephone (e-mail is usually more reliable) to schedule an appointment or to ask a question. Of course, if you prefer, you are always welcome to see me after class or, by appointment in my office.

The COVID pandemic may and probably will require all meetings to happen via ZOOM.

 Academic Integrity

Academic integrity is fundamental to the activities and principles of the School of Law. All members of the law school community must be confident that each person’s work has been responsibly and honorably acquired, developed, and presented. Any effort to gain an advantage not given to all students is dishonest whether or not the effort is successful. The law school community regards breaches of the School of Law’s Honor Code as extremely serious matters. Sanctions for such a breach may include academic sanctions from me, including failing the course for any violation, to disciplinary sanctions ranging from probation to expulsion. If you have any doubt about whether your work is or would be consistent with the Honor Code, consult me.

 Additional Information about Assignments

 Daily Problems:

Outlines and Exhibits: By 5:00 p.m. the day before you are “up” you will submit to me by email copies of whatever written materials (e.g., notes, scripts) the you expect to use in your Direct, Cross, Opening, or Closing. An exhibit binder will be present for the witness. I will supply any physical object that may need to be introduced into evidence.

Grading the Daily Problems: I would like to see you take a chance in the safety of a Mock Courtroom rather than later in the “real world.” Therefore, feel free to “take a chance” and try something innovative if you so dare. Hopefully, if it bombs, I will know the difference between poor preparation and “taking a chance.” However, just to make sure --- on the outline that you submit to me before your performance, if you are planning on trying something unique (with the realization that it is risky and it is something that you might not do if you were actually trying a case), please note that in your outline.

Self-Critique: For every class during which you are a working lawyer (this includes your trials)
you are required to submit a written self-critique about your performance. **The self-critique is generally due at the beginning of the next class, but in no event should you wait longer than one week to complete and submit your critique.** Keep the critique short (maximum of one page); focus on what you believe you did especially well, and what you would do differently if you had another chance to do the same skill. You may submit your critique via e-mail.

**Professor Critique and Video Review:** I will provide evaluation/advice/critique at each class. Please understand that your performance cannot, by definition, improve if we only say “that was just fine!” Instead, anticipate that I will also give suggestions for improvement. It is also possible that I may ask a student attorney who had a major direct or cross to remain late and discuss their performance with me. I will also review video with each student. Video review is a mandatory component of this class.

**Dress Code**

On any day that you are working as a trial lawyer dress like lawyers at trials; I strongly recommend wearing a suit. If we transition to online, the same rule applies.

**E-mail Communication**

During the semester information about the course will be sent to you by e-mail. If you have an e-mail account other than your law school account that you would prefer to use for receipt of course information, you must let me know. **You are responsible for regularly checking your e-mail for Trial Practice information, updates and changes.** And we’ll define “regularly checking” as “at least once a day, weekends included.”