Oral Advocacy for LLM Students -- Draft Syllabus dated Dec 5, 2013

Course Description: Oral advocacy is one of the critical professional skills mastered by U.S. lawyers. In this one unit skills workshop, we will study oral advocacy through readings, lectures, demonstrations, discussions, and (above all else) by practicing oral advocacy in small groups with critiques by experienced lawyers and judges. The course will meet on three Saturdays (Jan 11, Feb 1 and Feb 8) from 10:00-12:00 and 13:30-16:00. Each student will be expected to present an opening statement (Feb 1) and a closing argument (Feb 8) in a simulated case.

Readings will be from materials posted on the course website and from two texts:
Brian Johnson & Marsha Hunter, The Articulate Advocate (2009)
Steven Goldberg & Tracy Walters McCormack, The First Trial in a Nutshell (Where Do I Sit? What Do I Say?) (2009)[[1]](#footnote-1)

**January 11**

Assignment

The First Trial, pp. 1–19, 67-77

Storytelling Simulation: Assume that you have been accepted for the Berkeley Law LLM program, but that the U.S. Consulate has denied your student visa application. You’ve been granted a five-minute interview with a consular officer. Please come to class prepared to persuade the consular officer to reverse the decision and grant the visa.

Morning session 10:00-12:00

Bill Fernholz, Spencer Paulke, and David Oppenheimer

* Essential elements of oral advocacy
* Advocacy before judges and juries
* Advocacy demonstrations
* Story telling Principles of Oral Advocacy
* Confidence and communication through face, body and voice.
* Establishing an effective theme.

Afternoon session 1:30-3:30

Groups of 4 students practice story telling in five minute segments working with recent graduates of our advocacy competitions program, selected by Spencer Paulke.

All sessions will be videotaped

Wrap-up session 3:30-4:00

Lecture and demonstration on Opening Statements

**February 1**

Assignment

The First Trial, pp. 208 – 228.

The Articulate Advocate, pp. \_\_\_ - \_\_\_ (To be announced)

Patt v. Donner casefile, read the pleadings and deposition transcripts posted on the course website.

Advocacy exercise: Prepare a 5-7 minute portion of an opening statement for your assigned side in Patt v. Donner. (Assignments will be made at the end of the Jan 11 class meeting.)

Morning Session 10:00-12:00

James Brosnahan lecture on Oral Advocacy

Afternoon Session 1:30-3:30

Groups of 4 students practice opening statements from Patt v. Donner working with visiting judges from state and federal court, with videotaping.

Wrap-up Session 3:30-4:00

Lecture and demonstration on Closing Arguments

**February 8**

Assignment

The First Trial, pp. 408 – 419.

The Articulate Advocate, pp. \_\_\_ - \_\_\_ (To be announced)

Patt v. Donner casefile, re-read the pleadings and deposition transcripts posted on the course website.

Advocacy exercise: Prepare a 5-7 minute portion of a closing argument for the side you didn’t choose last week in Patt v. Donner

Morning Session 10:00-12:00

Doris Cheng on gestures.

TBA

Afternoon Session

Groups of 4 students practice closing arguments from Patt v. Donner working with visiting judges from state and federal court, with videotaping.

Wrap-up Session

TBA

1. You are only assigned a total of 60 pages in this handy little book, but you will undoubtedly benefit from reading the entire book from cover to cover. [↑](#footnote-ref-1)