

Trial Advocacy

CALI Lessons:

Character Evidence Under Federal Rules

This exercise deals with attack and support of the character of parties, victims, and witnesses; the use of reputation and opinion testimony as character evidence; and the admissibility of other crimes, wrongs, or acts as evidence falling outside the general ban on character evidence.

Part of the exercise is a simulated trial in which students are asked to decide whether to object to certain questions asked on direct or cross-examination. In a subsequent section, students play the role of judge and rule on objections. Other sections of the exercise require students to respond to questions about factual hypotheticals.

Lesson Completion Time: 2 hours

Author: Roger Park, James Edgar Hervey Professor of Law, University of California Hastings College of the Law

Impeachment and Rehabilitation of Witnesses

This exercise begins with a transcript of the direct examination of a government witness in a criminal action. The direct examination will be followed by a crossexamination, and the student is asked to rule on objections to impeachment questions by the crossexaminer. The student will be asked “remedial questions” after the completion of the first phase of this exercise if certain questions are erroneously answered. The lesson focuses on permissible and impermissible impeachment concepts under the Federal Rules of Evidence. The exercise was composed under a grant from the Federal Judicial Center as part of its training program for incoming federal judges.

Lesson Completion Time: 1 hour

Author: Roger Park, James Edgar Hervey Professor of Law, University of California Hastings College of the Law

ITT v LTX. An Interactive Exploration of UCC Article 2

The goal of this program is to teach a substantial amount of Article 2 through the study of a single case. This exercise begins with a warranty case, ITT v. LTX. At any point in the program, however, you are free to explore any other part of the program. You may, for example, explore the issues in the case, which cover a large part of Article 2 and common

law contracts. You can read what each opinion in the case says about the issue, explore treatises, go to the language of the UCC, or hear what the attorneys involved in the case have to say. Cap off your experience by taking a quiz on the issue which is similar to traditional CALI lessons.

Alternatively, you can learn more about the case by exploring such materials as the complaint, the pre-trial stipulations, and the trial testimony. Read treatises on case analysis or explore the elements of a claim for breach of contract and how the elements were proven in this case. The program contains such multimedia aspects as a videotape introduced in evidence at the trial, photographs, and statements by the attorneys.

Lesson Completion Time: 2-2.5 hours

Author: Scott Burnham, Curley Professor of Commercial Law, Gonzaga University School of Law

The Defense Function

The student plays the role of a lawyer in a hypothetical criminal trial. As the trial progresses the student is faced with various problems raising issues under the ABA Model Rules of Professional Conduct and the ABA Standards for Criminal Justice. The lesson asks what should be done in each situation and responds to the student's answer by commenting upon it, asking further questions, or progressing further with the trial.

This lesson was revised in accordance with the Model Rules of Conduct, as amended through August 2003.

Lesson Completion Time: 1.5 hours

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The Hearsay Rule & Its Exceptions

This exercise is based on a simulated trial in which the user is asked to rule on hearsay objections and to give reasons for the rulings. The exercise was composed under a grant from the Federal Judicial Center, which has used it, along with the Character Evidence exercise, as part of its training program for incoming federal judges. It is suitable for students who have completed their study of the hearsay rule and who know something about the rules relating to impeachment and crossexaminations.

Lesson Completion Time: 1 hour

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