

Seminar **American Trial Advocacy**

Content presentation

This course will provide a variety of learning outcomes, including a familiarity with all components of a bench trial and a beginning knowledge of the competencies necessary to become a skilled trial lawyer.

The seminar is open to students of all cycles of studies at the Faculty of Law. The maximum number of participants is limited to 10. If applications exceed the number of places available, candidates will be selected considering the year of their studies (senior students will be favoured).

The seminar, as well as all the reading materials, will be in English. A good command of the English is therefore a prerequisite for participation. Participants will be expected to read the materials before the beginning of each session.

Seminar summary

1. American Trial Phases, Opening Statements, PowerPoint in the Courtroom & Persuasive Speaking
2. Assessing Audiences/Opening Statements
3. Direct Examination & Refreshing Recollection
4. Cross-Examination
5. Advanced Cross-Examination
6. Exhibits & Demonstrative Aids and Introducing Exhibits
7. Objections/Learning to Object
8. Impeachment other than by prior inconsistent statements
9. Impeachment by prior inconsistent statements
10. Closing Arguments

This class will be held twice per week. Throughout the course, students will explore plaintiff and defense strategies, as well as American methods of persuasion and public speaking skills. The students will both learn about and practice various phases of a trial while performing as trial counsel in a variety of simulated courtroom exercises.

In the first of these weekly classes, students will learn about each phase of an American trial in more of a lecture-style setting. Among other techniques, students will learn the requirements and theory behind each trial skill, including Opening Statements, Direct and Cross-Examination, Closing Arguments, Introducing Exhibits, and Impeaching Witnesses. Students will also be introduced to relevant portions of the U.S. Federal Rules of Evidence as part of this course. The class materials that will likely be used are based on an actual case where the defendant was charged with shooting another man in a case of self-defense.

During the second weekly classes each student will demonstrate the previously-taught skill in a moot court setting. At that time, the lecturer will provide suggestions for improvement and assess students

on how effectively they demonstrate each skill. As their final exam in this course, students will act as trial counsel in a mock trial.

This course will teach students valuable advocacy and public-speaking skills and give students the opportunity to apply those skills in a practical, demonstration-based setting. Students will receive feedback that will help them grow as both orators and as trial lawyers.

About the lecturer

Steven Oberman has been practicing civil (personal injury) and criminal defense (Board Certified as a Specialist in DUI Defense Law by the National College for DUI Defense) law for 44 years. He is the author of a state treatise on the topic of DUI laws in Tennessee (since 1991) published by Thomson Reuters. He is also co-author of a national treatise published by Wolters Kluwer (now in its 9th edition) that has been cited by the U.S. Supreme Court on multiple occasions. Additionally he has had many articles published in leading legal and scientific journals.

He has taught Trial Advocacy at The University of Tennessee as an adjunct professor for 30 years and received several prestigious awards for his contributions. Additionally, he has taught trial techniques at several law schools in the United States as a guest lecturer. He has lectured at legal conferences over 200 times in 30 states and six foreign countries.

He has taught American Criminal Law and American Trial Advocacy as a visiting adjunct professor at Eötvös Loránd University Faculty of Law, in Budapest, Hungary from February – June 2023. He has also taught the same two courses as a Fulbright Scholar visiting adjunct professor at the University of Latvia Faculty of Law from February – June 2019.

He has received many accolades for his teaching of law students, defense lawyers, prosecutors, judges and law enforcement agencies.