Adjunct Professor Scott Zanzig  
Law 954  
Thursdays 4:30 – 6:20 pm  
Law Center (LC) Room 325  

OFFICE HOURS  
You can contact me as follows:  

Scott Zanzig  
Phone: 206-683-5263  
Email: wscottzanzig@gmail.com (I don’t check the vandal web email)  
Office: By appointment.  

Feel free to e-mail me with questions. If you need to meet with me, please call or email to make an appointment.  

COURSE MATERIALS  
The materials required for this course are:  


CLASS ATTENDANCE AND PARTICIPATION/GRADES  
Class preparation, attendance, and participation is critical. One goal of this course is to develop professionalism and courtesy. As you will find in the practice of law, being on time and prepared are important aspects of professionalism. We will use most of our class time with students performing and improving specific trial skills (e.g., opening statement, direct examination, cross-examination, closing argument). Class participation, including in-class exercises, will make up 50% of your grade.  

In the final class periods the students will conduct full mock trials using the skills they develop throughout the semester. Your trial will account for 50% of your grade.
CASE MATERIALS

Our mock case for the semester is Rowe v. Pacific Quad. Read the case file thoroughly. Effective trial preparation and performance requires working knowledge of all the facts.

SCHEDULE - subject to modification as necessary

- Thursday, January 10 (to be rescheduled)

- Thursday, January 17

  Assignment:

  Read Mauet, Chapters 1 and 2.

  Read Rowe v. Pacific Quad case file.

  Class:

  Lecture and discussion: introduction to Trial Skills; discuss case file; plaintiff/defendant assignments.

- Thursday, January 24

  Assignment:

  Read Mauet, Chapter 11.

  Prepare a written theory and theme for your client. This should be no more than two pages. Bring sufficient copies to class to share with all other students and the professor.

  Your theory should address each of the following:

  (1) Summary of Legal Theory: A short statement taking into account the elements of your claim or defense, and setting forth the legal theory by which your client will be able to prevail given the facts as you understand them.

  (2) Summary of Factual Theory: A statement setting forth your view or interpretation of the facts in a way which allows your client to win. Please remember to integrate both the "good facts" and the "bad facts" into a coherent, consistent story that will be credible to the jury.

  (3) Summary of Proof: Identify the primary evidence on which you will rely to prove each part of your case theory. This can come from testimony, as well as documentary and real evidence.

  (4) Summary of Problem Areas and Solutions: Identify the most important legal and
factual disputes you anticipate in your effort to prove your theory. Outline ideas of how to solve or deal with those areas of difficulty.

Your theme should be a concise phrase or idea that will resonate with the jury. This theme will serve as a "hook" to which the jury will return to over and over again. The theme should be something they will remember when they go into deliberations.

Class:

Lecture and Discussion: case theory and theme development for plaintiff and defendant.

- **Thursday January 31**

  **Assignment:**

  Read Mauet, Chapters 3 and 4.

  Prepare to conduct voir dire on your client’s behalf. Plan to use 15-20 minutes for your voir dire. Your voir dire should include a brief introduction, and then questions that address what you believe to be particular areas of concern about potential juror attitudes. Your goals are to identify jurors who will be able to understand and agree with your theory of the case, or who are more likely to agree with the opposing side’s theory of the case, so that you can effectively exercise peremptory challenges or challenges for cause.

  Class:

  Students will conduct voir dire, with feedback and discussion.

  Lecture and Discussion: opening statements.

- **Thursday, February 7**

  Topics to be decided. No additional assignments.

- **Thursday, February 14**

  **Assignment:**

  Read Mauet, Chapters 7 and 10.

  Prepare an opening statement. Plan to use 10-15 minutes for your opening. Incorporate visual aids (e.g., Power Point slides, important exhibits, diagrams).

  Class:
Students will deliver opening statements, with feedback and discussion.

Lecture and Discussion: foundation and evidentiary objections.

- **Thursday February 21**
  
  **Assignment:**
  
  Read Mauet, Chapter 5.
  
  Prepare for foundation/objection exercises.
  
  **Class:**
  
  Students will conduct foundation/objection exercises.
  
  Lecture and Discussion: direct examination.

- **Thursday, February 28**
  
  **Assignment:**
  
  Read Mauet, Chapter 6.
  
  Prepare for direct examination.  Plaintiffs will present the direct examination of Alice Rowe.  Students representing her should also be prepared to play her and testify.  Defendants will present the direct examination of Stanley Schmit. Students representing Pacific Quad should also be prepared to play Schmit and testify.  All students not examining the witness or testifying should be prepared to make objections.
  
  **Class:**
  
  Students will present direct examinations, with feedback and discussion.
  
  Lecture and discussion: cross-examination (especially impeachment).

- **Thursday, March 7th**
  
  **Assignment:**
  
  Re-read Mauet, pp. 226-43.  Read Mauet, Chapter 8.
  
  Prepare for impeachment exercises.
  
  **Class:**
Students will perform impeachment exercises, with feedback and discussion. All students not conducting examination will be prepared to either testify or object.

Lecture and discussion: more cross-examination (including experts).

- **Thursday March 14: Spring Break/no class.**

- **Thursday, March 21**

  **Assignment:**

  Read Mauet, Chapter 9.

  Prepare to cross-examine the other side’s primary witness. NOTE: You will also need to be prepared to play the role of your witness during cross-examination by counsel on the other side of the case.

  **Class:**

  Students will conduct cross-examinations, with feedback and discussion.

  Lecture and discussion: closing argument.

- **Thursday, March 28**

  **Assignment:**

  Prepare closing argument. Incorporate visual aids. Your argument should not exceed 20 minutes.

  **Class:**

  Students will present closing arguments.

- **Thursday, April 4**

  **Assignment:**

  Re-read Mauet, Chapter 11.

  Begin trial notebook for final trial. Students who represented Alice Rowe for exercises throughout the semester will represent Pacific Quad at trial. Students who represented Pacific Quad for exercises throughout the semester will represent Alice Rowe at trial.

  **Class:**

  Lecture and discussion: trial preparation.
Thursday, April 11

Assignment:
Work on trial notebook.
Prepare for pretrial conference.

Class:
Pretrial conferences.
Lecture and discussion: final trial preparation.

Thursday, April 18: Trial
Thursday, April 25: Trial

Finals Weeks April 29 - May 10 - No written final exam, no class.

COLLEGE OF LAW MATTERS

Credit Hours for Coursework

In accordance with ABA Standard 310, the College of Law awards one credit hour for experiences that are reasonably designed to involve 50 minutes of classroom or direct faculty instruction and two hours of out-of-class student work per week, or at least the equivalent amount of work for academic activities including simulation, field placement, clinical, and other academic work leading to the award of credit hours.

The course requirements outlined above with respect to materials and assignments, in my professional judgment, are complex enough in nature that it is expected that the amount of out-of-class time it will take students to complete the assignments will meet the rule.

Center for Disability Access and Resources (CDAR) Reasonable Accommodations Statement

Reasonable accommodations are available for students who have documented temporary or permanent disabilities. Ideally, students in Moscow and Boise should meet with CDAR by the end of the first week of class to assess if any accommodations are needed for courses and/or examinations. All accommodation requests are then submitted by CDAR to Dean Dodge for final approval. CDAR serves as the sole evaluator of medical documentation and determines reasonable accommodations on a per semester basis. The College of Law does not have the authority to evaluate or grant disability accommodations without CDAR first submitting a recommendation. You may contact CDAR by:
• Calling 208-885-6307
• Emailing cdar@uidaho.edu

It is ultimately the student’s responsibility to seek a disability accommodation, and until an accommodation is approved by CDAR and Dean Dodge, no student will be entitled to receive any accommodations. To learn more about CDAR, visit its website at http://www.uidaho.edu/current-students/cdar. Moscow students may also visit CDAR in suite 127 of the Pitman Center. Please review the College of Law Catalog and Student Handbook for more information on the disability accommodation process.

Recording Class Sessions

Students may not electronically record classes unless they have the express consent of the instructor, except where the Dean of Students has allowed recording as a disability accommodation pursuant to a recommendation by CDAR. Recording classes without the instructor's express consent violates the Honor Code. Students recording classes as a disability accommodation must follow procedures set down by CDAR. Students who are unable to attend class for reasons of illness or other exigencies must receive permission from the instructor before classes are recorded on their behalf. Contact the Law Library for recording equipment and information on recording procedures.

Civility

In any environment in which people gather to learn, it is essential that all members feel as free and safe as possible in their participation. To this end, it is expected that everyone in this course will be treated with mutual respect and civility, with an understanding that all of us (students, instructors, professors, guests, and teaching assistants) will be respectful and civil to one another in discussion, in action, in teaching, and in learning.

Should you feel our classroom interactions do not reflect an environment of civility and respect, you are encouraged to meet with your instructor during office hours to discuss your concern. Additional resources for expression of concern or requesting support include the College of Law Dean of Students (jdodge@uidaho.edu), the University Dean of Students office and staff (885-6757), the UI Counseling & Testing Center’s confidential services (885-6716), or the UI Office of Civil Rights & Investigations (885-4285).