



UNIVERSITY OF MARYLAND

2026 Terp Young Scholars Program Mock Trial

Instructor Information

Instructor: Erica Smith, Esq.

E-mail: e.smith@law.umaryland.edu

Office Hours: By appointment

Erica Smith is the Associate Dean for Student Services at Maryland Carey Law. Dean Smith works closely with the Vice Dean on strategic planning, coordination, and implementation related to various academic issues, administrative matters relating to students, and programming initiatives. Dean Smith serves as a strategic partner to Maryland Carey Law leadership for matters concerning students and serves as the law school's representative in campus-wide student affairs initiatives, related programming, and policy deliberations. Dean Smith is responsible for the effective delivery of a range of services and programmatic support to law students and provides oversight to the director of student affairs, the director of registration & enrollment, the director of student financial planning, and the acting assistant director of student services, to manage and facilitate delivery of high-quality student services.

Dean Smith is a 2006 graduate of the University of California, Berkeley, School of Law and a 2009 graduate of Temple University, Beasley School of Law with an LL.M. in Trial Advocacy. In 2016, Dean Smith received a diploma from the National Institute for Trial Advocacy for completing an intensive professional training program in the art of Teacher Training Skills.

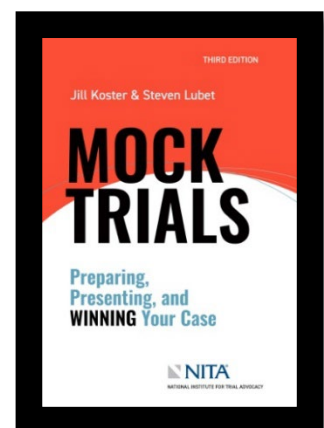
Course Information

Course: MLAW298M – Special Topics in Legal Studies; Mock Trial
Course Dates, Times & Location: MTuWThF 9:30 am - 12:30 pm in 1140 Cumberland Hall unless otherwise noted.

Required Textbook: *Mock Trials: Preparing, Presenting, and Winning Your Case, 3rd Edition* | ISBN: 9798886690576

Required Case file¹: *Dixon v. Providential Life Insurance Co., Seventh Edition* | ISBN: 9781601567994 **OR** *Fulbright v. Americraft Industries and Parker, Fourth Edition* | ISBN: 9781601564870

Recommended Supplies: Three-ring binder for case preparation; Professional business attire for each mock trial.



¹ These case files do NOT need to be purchased. They will be distributed when you receive your final trial assignments.)

Course Description

Experience the excitement and reward of arguing and perhaps winning your client's case in court. Mock Trial is designed for students who are interested in learning practical techniques for shaping the evidence, using the law, and exploiting the courtroom to create a coherent and convincing case theory. By the end of the course, students will have learned to prepare witnesses, deliver convincing direct examinations, effectively cross-examine witnesses, raise and overcome evidentiary objections, and select the strongest facts to persuasively present to a judge and jury. While classes will include explanatory lectures, the emphasis will be on learning through student exercises and by students observing and analyzing the performances of others. This hands-on course will culminate in two civil mock trials where students will act as an attorney in one of the cases and as a witness or juror in the other.

Course Page

The course webpage can be found at www.elms.umd.edu/. You must use your directory ID and password to access this page. You should access the course webpage as soon as possible. All class materials will be posted to ELMS throughout the semester, so check the site frequently.

Course Goals

The main goal of this course is to introduce students to the key principles of trial advocacy through a “learn by doing” approach to instruction. While no student should expect to leave this class as a polished advocate ready for trial, everyone can expect to leave with a greater understanding of litigation tactics and courtroom performance. Irrespective of initial skill levels, students will leave this class with greater confidence in public speaking and presentation.

This class will:

1. Increase proficiency in basic skills such as reading and speaking, critical thinking skills such as analyzing and reasoning, and interpersonal skills such as listening and cooperating.
2. Provide the opportunity for interaction with positive adult role models in the legal community; and
3. Provide a hands-on experience from which students can learn about law, society, and themselves.

Course Format

During this course, we will work on three fictitious cases:

1. Scott Walker v. Tanya Brewster
2. Fulbright v. Americraft Industries and Parker
3. Dixon v. Providential Life Insurance Co.

The first case, Walker v. Brewster, involves the negligent storage of a firearm and negligent supervision of a minor child. The plaintiff alleges that the defendant negligently stored a firearm and negligently supervised her child thereby causing harm to Jesse Walker. The Defendant claims that it is not her fault that Jesse was injured instead, it was the Plaintiff's negligent supervision of his children that allowed the accident to happen. The case file for Walker v. Brewster is available on Elms.

Walker v. Brewster will be used during weeks 1 and 2 to illustrate the basic principles of trial preparation and techniques. Students should come to class during weeks 1 and 2, knowledgeable about the assigned materials and prepared to participate in all activities.

In Fulbright v. Americraft Industries and Parker, a high-school football star, John Fulbright, is thrown from his motorcycle and severely injured when it collides with a Cadillac that had just pulled out of a parking lot. Most of the witnesses say Fulbright was speeding and not wearing a helmet, but a fourteen-year-old boy says otherwise. There is evidence that the Cadillac's driver, Andrew Parker, an Americraft employee, had been drinking. The plaintiff claims he became an epileptic as a result of his injuries. There is no helmet law in the State of Nita.

In Dixon v. Providential Life Insurance Co., Judge John Dixon's dead body was found on the floor of his home office with a gunshot wound to the head, his favorite shotgun by his side. His wife, the plaintiff, demands that Providential Life Insurance Company pay on the \$1 million life insurance policy taken out by Judge Dixon shortly before his death, but Providential refuses, citing the suicide provision of the policy. The medical examiner, Dixon's personal physician, determined the death was accidental, but Providential claims the medical examiner's conclusion was tainted by his friendship with the judge and a hasty investigation, and that Dixon's death was, in fact, a suicide.

At the end of this course, students will conduct the mock trials of Dixon v. Providential Life Insurance Co. and Fulbright v. Americraft Industries and Parker. Students will act as an attorney in one of the cases and as a witness in the other.

Course Expectations

As stated above, the emphasis in this course is on a "learn by doing" approach to instruction. Students will be learning trial skills largely by performing them in class. As such, a quality learning experience in this course will rest upon a high degree of preparation and participation. Students are expected to arrive on time, knowledgeable about the assigned materials and prepared to participate in all activities. Attendance at all lectures is mandatory as in-class activities will not be repeated.

During class, I ask that you participate by:

- listening actively when others are speaking;
- responding with relevant remarks when you feel comfortable doing so; and
- working in small groups when asked.

Grading

Your grade in this class will consist of the following three components:

Assignments (20%)

Mock Trial performances (30%)

Mock Trial Exam (50%)

Total: 100%

Your final letter grade will be based on the following grading scale:

A+	=	Discretion of the Instructor	C+	=	77-79
A	=	93 and above	C	=	73-76
A-	=	90-92	C-	=	70-72
B+	=	87-89	D+	=	67-69
B	=	83-86	D	=	63-66
B-	=	80-82	D-	=	60-62
F	=	59 and below			

Please note, students **must** participate in both mock trials in order to pass the class. Before signing up for this course, students should carefully consider the mock trial dates (Thursday, July 30 and Friday, July 31) to make certain they can be present. Late work will not be accepted so please plan to have it submitted on or before scheduled deadlines.

Policies and Resources

It is our shared responsibility to know and abide by the University of Maryland's policies that relate to all courses, which include topics like:

- Academic integrity
- Student and instructor conduct
- Accessibility and accommodations
- Attendance and excused absences
- Grades and appeals
- Copyright and intellectual property

Please reference and review the [Office of Undergraduate Studies' Course-Related Policies](#) and follow up with me if you have questions.

Course Guidelines

Names/Pronouns and Self-Identifications

The University of Maryland recognizes the importance of a diverse student body, and we are committed to fostering inclusive and equitable classroom environments. I invite you, if you wish, to tell us how you want to be referred to in this class, both in terms of your name and your pronouns (he/him, she/her, they/them, etc.). Keep in mind that the pronouns someone uses are not necessarily indicative of their gender identity. For more information about names and gender markers, visit the [LGBTQ+ Equity Center](#).

Additionally, it is your choice whether to disclose how you identify in terms of your gender, race, class, sexuality, religion, and dis/ability, among all aspects of your identity (e.g., should it come up in classroom conversation about our experiences and perspectives) and should be self-identified, not presumed or imposed. I will do my best to address and refer to all students accordingly, and I ask you to do the same for all of your fellow Terps.

Video or Audio Recording

Video or audio recording of class sessions, activities, or discussions is prohibited without advance permission from the professor. Maryland is one of 11 U.S. states that require [two-party, or all-party, consent](#) before it is permissible to record or otherwise intercept and/or capture communications (such as phone calls, in-person conversations, video conferences). This means that everyone participating in a conversation must give their consent before any communication is recorded. Read this UMD article on [Audiovisual Recording](#) for more information.

Communication with Peers

With a diversity of perspectives and experience, we may find ourselves in disagreement and/or debate with one another. As such, it is important that we agree to conduct ourselves in a professional manner and that we work together to foster and preserve a virtual classroom environment in which we can respectfully discuss and deliberate controversial questions. I encourage you to confidently exercise your right to free speech—bearing in mind, of course, that you will be expected to craft and defend arguments that support your position. Keep in mind, that free speech has its limit and this course is NOT the space for hate speech, harassment, and derogatory language. I will make every reasonable attempt to create an atmosphere in which each student feels comfortable voicing their argument without fear of being personally attacked, mocked, demeaned, or devalued.

Any behavior (including harassment, sexual harassment, and racially and/or culturally derogatory language) that threatens this atmosphere will not be tolerated. Please alert me immediately if you feel threatened, dismissed, or silenced at any point during our semester together and/or if your engagement in discussion has been in some way hindered by the learning environment.

AI use is prohibited

AI assistance (TerpAI, ChatGPT, Gemini, Grammarly, etc.) is not permitted for this class.

Class Schedule: Week 1

Please note that the schedule below is subject to change as needed. Any change to the syllabus will be posted on ELMS. All **Required Readings** are due on the date for which they are listed. All **Assignments** are due the following class period.

Monday, July 13	Trial Basics, Case Preparation and General Overview of <u>Scott Walker v. Tanya Brewster</u> Required Readings: Chapters One and Two in the textbook as well as <u>Walker v. Brewster</u> . Bring a copy of the syllabus and <u>Walker v. Brewster</u> with you to class.
Tuesday, July 14	Communication Techniques and Opening Statement Required Reading: Chapters Three and Fourteen in the textbook. Assignment: Prepare a 3-minute opening statement in <u>Walker v. Brewster</u>
Wednesday, July 15	Closing Argument Exercise: Student prepared opening statements Required Reading: Chapter Fifteen in the textbook. Assignment: Prepare a 3-minute closing argument in <u>Walker v. Brewster</u>
Thursday, July 16	Direct Examination Exercise: Student prepared closing arguments Required Reading: Chapter Seven in the textbook. Assignments: Prepare a 3-minute direct examination in <u>Walker v. Brewster</u>
Friday, July 17	Cross-Examination Exercise: Student prepared direct examinations Required Reading: Chapter Nine in the textbook. Assignments: Prepare a 3-minute cross-examination in <u>Walker v. Brewster</u> and complete your mock trial preference form

Class Schedule: Week 2

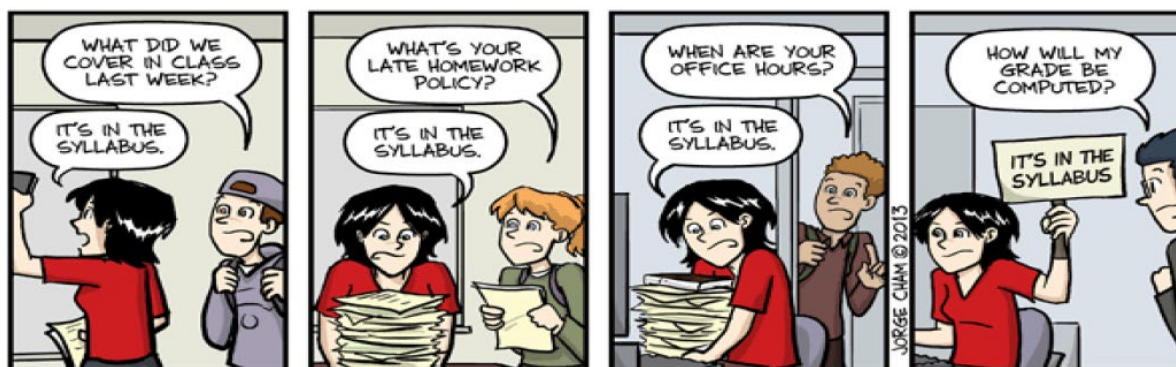
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Monday, July 20	Impeachment, Redirect and Recross-Examination Exercise: Student prepared cross-examinations Required Readings: Chapters Ten and Eleven in the textbook. Assignments: Prepare impeachment by prior inconsistent statements and impeachment by omission exercises
Tuesday, July 21	Foundations and Exhibits Exercise: Student prepared impeachment by prior inconsistent statements and impeachment by omission exercises Required Readings: Chapter Eight in the textbook. Assignments: Prepare offering exhibits at trial
Wednesday, July 22	Expert Testimony Exercise: Offering of exhibits Required Readings: Chapter Twelve in the textbook. Assignments: Prepare direct and cross-examination of expert witnesses exercises
Thursday, July 23	Evidence Made Simple and Objections Exercise: Direct and cross-examination of expert witnesses Required Readings: Chapters Six and Thirteen in the textbook. Assignments: Raising and responding to objections exercise
Friday, July 24	Playing an Effective Witness and Preparation for Mock Trial Exam and Mock Trials Exercise: Raising and responding to objections Required Readings: Chapter Five in the textbook, <u>Dixon v. Providential Life Insurance</u> and <u>Fulbright v. Americraft Industries and Parker</u> Assignments: Study for your Mock Trial Exam and begin case preparation for your final mock trials

Class Schedule: Week 3

Please note that the schedule below is subject to change as needed. Any change to the syllabus will be posted on ELMS. All **Required Readings** are due on the date for which they are listed. All **Assignments** are due the following class period.

Monday, July 27	Mock Trial Exam and Case Preparation for Mock Trials
Tuesday, July 28	Case preparation for Mock Trials
Wednesday, July 29	Case preparation for Mock Trials
Thursday, July 30	Mock Trial # 1: <u>Dixon v. Providential Life Insurance</u>
Friday, July 31	Mock Trial #2: <u>Fulbright v. Americraft Industries and Parker</u> and Final Day Celebration



IT'S IN THE SYLLABUS