

Memorandum

TO: All Tryout Participants

From: Trial Coaches: Steve Emens, Robert Prince, Yuri Linetsky, and Clay Hornsby

Date: August 2018

Thank you for participating in the 2018 Trial Advocacy Tryouts. By participating in this tryout you will take an important step in the journey from classroom to courtroom and learn much about your future profession. As coaches we wish everyone good luck.

The tryout consists of a closing argument and additional questions that may be asked by the judges. Your closing is limited to 10 minutes.

Enclosed is the 2018 Tryout case. This case is an actual problem used in one of our past competitions. For the tryout, do not worry about evidence issues. You will not be graded on your knowledge of the rules of evidence. You may assume that all witnesses testified at trial consistent with their prior statements. All exhibits were admitted and may be used by either party during closing. You may bring and use enlargements of any exhibit or Jury Question or Jury Charge. An easel and dry erase board will be available in the tryout room.

You may choose to represent the state or the defendant. You will be allowed 10 minutes to present your closing argument.

The time and room for your tryout will be posted on the law school web site on Aug. 8. You cannot swap times without prior approval of Steve Emens. Please remain outside the tryout room until you are requested to enter. The dress is appropriate courtroom attire.

Here is a list of the ten most common problems we have noticed in past tryouts. If you avoid these you will be on your way to a successful tryout. Good luck to all

The Ten Most Common Problems (not in order of importance)

1. Not using simple and understandable language.
2. Talking too fast.
3. Talking in a monotone.
4. Reading from notes.
5. Disorganized and rambling.
6. Failing to identify the most persuasive facts.
7. Failing to identify why your client should win.
8. Failing to personalize your client (hint don't call them "my client" use their name.)
9. Not telling a persuasive story.
10. Failing to maintain eye contact with the jury.

Finally – Ask yourself “would a non-lawyer friend of mine understand my closing”? Then call one and try it out on them and find out. Yes it is OK to get your closing critiqued and get advice before your tryout.

NOTE: you are not allowed to use a podium for the closing. - Remember this is an argument to a “jury” not a group of appellate judges.