

University of Florida Levin College of Law  
COURSE SYLLABUS: TRIAL PRACTICE  
LAW 6363 (19489) - 3 credits S/U  
Spring 2026

**INSTRUCTOR'S CONTACT INFORMATION:**

Howard Lidsky  
Cell: 352-514-4033  
Email: howardlidsky@ufl.edu & howardlidsky@gmail.com

Office Hours: Thurs 1:00-3:00 after (MLAC 106)  
Additional office hours are available by appointment.

**MEETING TIMES AND LOCATIONS:**

Classroom location: Martin Levin Advocacy Center, room 106

This course will meet on the following dates and times:

Mondays from 6:30 PM – 7:25 PM (Lectures)

Thursdays from 3:00 - 5:00 pm (Section workshop)

**MANDATORY FINAL TRIALS:**

Round 1: Friday 4/17 (4:00-8:00) and Saturday 4/18 (8:30-5:00)

Round 2: Friday 4/24 (4:00-8:00) and Saturday 4/25 (8:30-5:00)

-All students must be present for each day of the final trials, even if not presenting-

**COURSE DESCRIPTION AND OBJECTIVES:**

This course covers trial procedures and advocacy techniques, including jury selection, opening statements, direct examinations, cross-examinations, objections, and other motion practices, preservation of error, closing arguments, and proper courtroom demeanor. Using realistic fact patterns and full trial assignments, students will learn by doing.

The purpose of this course is to provide strong entry-level courtroom skills together with an understanding of effective preparation for trial and an awareness of various persuasive methods. Courtroom skills include effective communication, effective advocacy in each phase of a trial, making and meeting objections, raising, and addressing other issues by way of motions, and proper preservation of error. Students develop the knowledge and skills necessary for effective trial advocacy through a combination of study, observation, discussion, and (most importantly) mock trial exercises, with helpful critique and feedback.

**STUDENT LEARNING OUTCOMES:**

At the conclusion of this course, students should be able to:

Demonstrate strong courtroom communication skills;  
Understand the structure and function of each part of a trial;  
Exhibit good advocacy skills and technique;  
Capably make and meet objections;  
Analyze and prepare a case for trial; and  
Exemplify professionalism and best practices in courtroom conduct.

**PREREQUISITE:**

Evidence must be taken prior to or concurrently with Trial Practice.

**REQUIRED READING AND VIEWING MATERIALS:**

1. Trying Cases: Promise, Prove, and Persuade (J. Zedalis, Vandeplass Publishing) also available as an e-book
2. Workshop/Trial Coursebook (weekly skills exercises and accompanying material) available for this course on Canvas
3. Florida Evidence Code Summary Trial Guide (laminated tri-fold quick reference aide)
4. Irving Younger, The 10 Commandments of Cross-Examination at UC Hastings College of Law, <https://www.youtube.com/watch?v=dBP2if0l-a8> (43:20)
5. Case Summaries for Trial Preparation provided by the Professor

**RECOMMENDED READING:**

Carlson, A Student's Guide to Elements of Proof (Thomson West)  
Ehrhardt, Florida Evidence  
Ehrhardt, Florida Trial Objections  
McElhaney, Trial Notebook (ABA)  
Frank & Imwinkler, Florida Evidentiary Foundations

**COURSE EXPECTATIONS AND GRADING EVALUATION:**

For this course, you will earn 3 (three) total credits. Students are required to do the assigned reading and participate in discussions as well as assigned skills exercises. This course will be taught in a lab/workshop structure. Class is divided into 2 (two) hours of practical exercises and 1 (one) hour of instruction. Students are required to actively participate in both instruction and practical exercises. Participation during practical exercises includes both presenting, observing, and critiquing the exercises and practice trials. Students are required to prepare for all in-class practical exercises prior to class and must submit to the Professor, via email an electronic copy of each student's preparation for that day's class by 11:59 PM on the Monday before class.

To achieve a satisfactory (S) grade, students must maintain good attendance, prepare, and actively participate in the class workshops and the final trials. All students will be

required to participate as witnesses, jurors, and courtroom personnel in both class and final trials in addition to their lawyer/case assignments. Competence, preparation, and attendance as a witness, juror, and courtroom personnel are considered in your final grade evaluation.

To achieve an S+ grade, students must satisfy all of the requirements above and must demonstrate the following: thorough and thoughtful preparation of assignments; exceptional preparation and performance during final trials; and active classroom participation.

#### INTERNET USE DURING CLASS:

Use of the Internet during class is not permitted unless directed by me. You may not check social media sites, email (even clinic- or career-related emails), or news sites. Consider class a vital client meeting and schedule your emailing needs accordingly. Your internet use, even for a noble purpose, violates the standards of professionalism. If you have concerns about this policy, please discuss them with me.

The use of a computer, tablet, or phone is permissible only while a student is conducting an examination of a witness or presenting a closing argument. Students observing and critiquing such presentations may not use electronic devices.

#### CLASS ATTENDANCE POLICY:

Attendance in class is required by both the ABA and the Law School. Students are allowed no unexcused absences during the semester and final trials. A student who fails to meet the attendance requirement will be dropped from the course. Attendance is especially important in this course because it is a courtroom skills course that is interactive. Although the assigned reading is essential, students cannot develop advocacy skills from reading or relying on passive learning techniques. Any absence must be excused in advance. The law school's policy on attendance can be found at this link: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies#>

Failure to attend all, or any portion, of the Final Trials, both as a litigant and as a witness, shall be sufficient grounds, in and of itself, for the awarding of the grade of "U". Classes cancelled due to holidays, emergencies, natural disasters, or for any other reason will be rescheduled by the instructor.

#### UF LEVIN COLLEGE OF LAW STANDARD SYLLABUS POLICIES:

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations, can be found at this link:

<https://ufl.instructure.com/courses/427635/files?preview=98226140>

#### UF ACADEMIC POLICIES AND RESOURCES:

Other information about UF academic policies and resources can be found at [this link](#).

#### ABA OUT-OF-CLASS HOURS REQUIREMENTS:

ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every "classroom hour" of in-class instruction. Our weekly class time is

approximately three hours, requiring at least six hours of preparation outside of class, including reading the assigned materials, preparing for in-class exercises, reviewing recorded work, observing and reflecting on courtroom performances, preparing for assigned witness and critique roles, and submitting your prepared materials before class.

#### COMMUNICATION COURTESY AND CIVILITY:

Please follow the rules of common courtesy in all email messages and class discussions. Turn off your cell phone during class. I reserve the right to lower your final grade if you engage in behavior that disrupts the learning environment for your classmates.

#### IMPORTANT INFORMATION FOR ALL TRIAL PRACTICE STUDENTS:

**Dressing for Court:** Courtroom attire is required for the Final Trials and for our in-class practice Final Trials. Attire during lecture classes is casual. During workshop classes and for witness or critiquing roles, students must wear business casual clothing.

**Witness Roles:** Each student will play the witness whom they cross-examine in the 1st round of Final Trials. All witnesses are expected to be well-prepared and to stick to the assigned facts. Making up facts will result in a 10-point penalty for your team during the Final Trials.

**Review/Critique required with Teaching Assistant(s):** Workshop performances on direct exam, cross-exam, expert witnesses, and opening/closing will be recorded, and students are required to review their own performances with our TA(s). We'll discuss the details in class.

**Preparation:** All students are expected to prepare for and complete their assigned advocacy exercises. The Final Trials are the skills course equivalent of final exams, and participation is mandatory. Participation includes assigned witness and critiquing roles as well as assigned trial roles. All students participate in each trial round.

#### COURSE SCHEDULE OF TOPICS AND ASSIGNMENTS:

This syllabus is offered as a guide to the direction of the course. Our pace will depend in part on the level of difficulty of each section and is subject to change. In addition to completing the assigned reading/viewing, be prepared to discuss your case theory and strategy during each class. These "case rounds" enable students to form connections with one another and help them analyze legal, ethical, and practical problems more easily than doing it on their own. Learning by rounds is one of the best aspects of experiential legal education!

Class will be divided into a two-hour trial skill exercise block and a one-hour block of instruction. Exercises will follow the previous classes' instruction as set forth below.

Date Exercises Lecture

1/22/26 Introduction to Trial Practice & Direct Examination

1/26/26 Cross-examination –  
Prof. Howard Lidsky

1/29/26 Direct Examination exercise

2/2/26 Exhibits and Visual Aids –  
Prof. Kristofer Eisenmenger

2/5/26 Cross Examination exercise

2/9/26 Expert Witnesses and Case Strategy  
Prof. Becky Fletcher

2/12/26 Exhibits and Visual Aids exercise

2/16/26 Voir Dire  
Prof. Sarah Wolking

2/19/26 Expert Witnesses exercise

2/23/26 Opening Statement  
Hon. Brian Kramer

2/26/26 Voir Dire

3/2/26 Closing Argument –  
Prof. Becky Fletcher

3/5/26 Opening Statement

3/9/26 Final Trial Strategy –  
Prof. Howard Lidsky

3/12/26 Closing Argument

3/16/26 \*\*\*Spring Break – No Classes\*\*\*

3/23/26 Practice Final Trial #1 3 hour class – details to be discussed

3/30/26 Practice Final Trial #2 3 hour class – details to be discussed

4/6/26 Practice Final Trial #3 3 hour class – details to be discussed

4/13/26 Rules of Competition

– Various Instructors

4/16/26 Bring your case open discussion

Rounds 1

4/17/26 First Final Trials: 4:30 PM – 8:00 PM

4/18/26 First Final Trials: 8:30 AM – 12PM

Round 2 & 3 1:30 PM – 5PM

4/20/26 Issues and Review of Rounds 1-3 –

4/23/26 Bring your case open discussion

4/24/26 Second Final Trials:

Round 4

4:30 PM – 8:00 PM

4/25/26 Second Final Trials:

Round 5 & 6

8:30 AM – 12PM ;

1:30 PM – 5PM

Note: This syllabus represents my current plans and objectives. As we proceed through the semester, I may need to alter them to enhance your learning opportunities or in response to factors internal or external to our course. Such changes, communicated clearly, are not unusual and should be expected.