FINAL EXAMINATION

TRIAL ADVOCACY - FALL SEMESTER, 2000
MANLEY F. BROWN - ADJUNCT PROFESSOR

INSTRUCTIONS:

The trial book, which you have already submitted to me, will constitute a possible 60 points toward your potential final grade of 99 points in this course. This examination will be graded on the basis of a possible 39 points, making a perfect score for the course, 99. The questions are not designed to be deceptive in nature, but do require cautious and studious consideration prior to the writing of your answer. Assume that all trial situations outlined in the examination are in a Georgia Superior Court.

(1)

Write a brief paragraph discussing the following:

a. Request for admission

b. Qualifying handwriting comparison evidence

c. Use of a prior inconsistent statement

(2)

Please discuss the method and consequences of "calling the opposite party for cross-examination."

(3)

Your client, the plaintiff in a personal injury civil action, is the pillar of the community. He contends that he was injured when the defendant ran a red light. You have many prominent people who want to give testimony during the trial about what a wonderful person he is and his reputation for truthfulness. Since the defendant is contending that your client ran the red light you would really like to use this testimony. Are there any circumstances under which you can do so? Explain.

(4)

Explain the usual stipulations to be put in the record prior to beginning a deposition.