

Political Science 193:  
“Being Perry Mason”  
Freshman Seminar Program: Fall 2009 Semester

Syllabus

This syllabus conforms to the requirements for such documents as established by policies of this University. Students should familiarize themselves with those requirements, academic and nonacademic behavioral expectations as well as the rights and responsibilities of those in the University community all accessed at [uwm.edu/Dept/SecU/SyllabusLinks.pdf](http://uwm.edu/Dept/SecU/SyllabusLinks.pdf).

For Fall Semester of 2009, our Vice Chancellor and Provost has asked instructors to add important information to syllabi. Since the quantity of added information has been delivered after I completed the syllabus, see the end of this document.

**Instructor:** My name is Brad Bloch. I completed my B.A. at UWM in 1973 and then did two years here as a grad student. I received my J.D. in 1978 from the Cumberland School of Law of Samford University. I was admitted to the Wisconsin Bar on September 15, 1978. I have always had a hectic trial practice largely in criminal defense.

I have been a debate or college mock trial coach continuously since 1971. I have coached for Muskego, Marquette University and Homestead High Schools as well as UWM and Samford University. Over the years, I have taught at a variety of short-term institutes, leadership conferences and continuing legal education seminars throughout the nation. Since 1987, I have taught Fall and Spring semesters for UWM and I have been the coach of UWM’s intercollegiate mock trial teams essentially since my return to campus. While most of those years I was associated with the Department of Communication, my base of operation on campus moved to the Department of Political Science as of Fall Semester 2006.

My other courses are Political Science 268 “Practicum in Mock Trial I,” Political Science 468 “Practicum in Mock Trial II,” “Legal Processes from the Trial Lawyer’s Perspective” and “The Free Speech Clause.” The last two courses have been taught under the Political Science 471 variable content course number and may receive more permanent and unique course numbers in the future.

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**Contact Policy:** While most UWM faculty schedule “office hours,” I do not. That has nothing to do with my interest or lack thereof in contact with students! It simply reflects that the combination of my law practice, teaching and coaching do not readily permit identification of specific hours I will be in my UWM office on a particular day of each week.

All of the phone numbers I publish have voicemail. If you call my cell, expect that I will not answer since I must either turn it off or not have it on me when I am in courts, prisons or jails. You may reach the receptionist at my office or reach a menu. You can expedite contact by hitting \*227. When you call my home, you may reach Mom – my UWM students’ best friend. Be assured that my receptionist and my mom have fielded several hundred student calls a semester

for decades. So, never hesitate to call.

If you would like an in person meeting with me (or other UWM faculty), we call it “by appointment.” We mutually schedule a convenient time and place. My office is in Waukesha and I live in West Allis. I travel wherever crime might have occurred for my practice. So, there is often a more convenient place for both of us than the Eastside – although the Eastside is one of my favorite places in the world.

As you’ll soon see, one of my objectives in creating this course is to get my small part of the freshman class off to a great start. So here’s a practical yet on point bit of advice. At UWM, the student cannot afford to be shy and, on occasion, needs to be assertive. There’s no reason to hesitate in seeking help or insights. UWM has an enormous support staff that really is quite dedicated. But with 28,000 to serve, the quiet “dormouses” may get lost. No one I know wants that to happen. So, speak up and be a member of our very special UWM community.

**Introduction:** I’ve been around UWM as long as nearly everyone. My first Chancellor was the now ideallic J. Martin Klotsche who treated every student as a fond nephew or niece. (J. Martin was amazing!) I was then something of a favorite of Chancellor Werner Baum. Since returning to campus, I have worked under Chancellors Smith, Schroeder, Zimpher and, now, Chancellor Carlos Santiago.

As a student, I knew William Halloran as Dean of the College of Letters and Science. After Dean Halloran “retired” (as I hear, a misnomer), Dean Marshall Goodman arrived in Holton Hall. Certainly among Dean Goodman’s “pet projects” for L & S was creation of the first Freshman Seminars. After Dean Goodman left, Dean G. Richard Meadows took over and has made service to freshmen a key priority. Here I interrupt for a little story.

Dean Goodman’s appointment at UWM was publicized during the Summer of 1995. By that time, I had been UWM’s Mock Trial coach for eight years, an American Mock Trial Association Board member for seven years and AMTA’s National Tournament Director for four years. The publicity said our soon-to-be Dean was an Associate Dean at the University of Cincinnati. One of my very good friends was the University of Cincinnati’s mock trial coach, Tom Williams, who just so happened to also serve as Cincy’s Dean of Arts and Sciences. I called Tom that summer. He assured me that Goodman was “pro-mock trial” but asked that I give his associate a week or so before making the mock trial pitch.

I was a very good boy! It was not until Dean Goodman’s office started publicizing early descriptors of the Freshman Seminars Program, late that Fall, that I wrote to Goodman offering to do a mock trial seminar. We had a meeting in March of 1996. I doubt he was ready for me. He was familiar with Cincinnati Mock Trial and easily recalled the massive traveling trophy the Bearcats brought home from the National Silver in 1995. He began to get my ideas when I reported that UWM hosted the 1993 and 1994 National Silvers, that I was AMTA’s lead administrator for the 1995 National Silver and that I designed the traveling trophy he remembered. Perhaps the “cherry on that sundae” was my report that that particular traveler is the Eleanor Berres Henrichs Memorial which I donated to AMTA in the memory of my grandmother. (AMTA’s now well-traveled “Granny” has flown to George Washington University this year in recognition of their mockers’ appearance in AMTA’s National Championship Final Trial.)

While Dean Goodman supported UWM Mock Trial, he did not see the subject as a “good fit” for a Freshman Seminar. This lowly lecturer “agreed” to disagree. But Dean Goodman encouraged me to develop the academic course offerings for intercollegiate mock trial. In the Fall of 1998, we introduced the Practicum courses where an individual student may earn as many as nine credits in a career as a UWM mocker.

So, for about a decade, I held thoughts that the mock trial model could make a great Freshman Seminar. For nearly all that time, the Department of Communication, for whom I taught, had their “for purposes of strategy and protocol” policies that did not advance my idea.

Communication decided in January of 2006 that we would part company. By March, Political Science had gained the inside track among three possibilities for keeping me on campus. Only the need for me to complete special FSP training, scheduled May of each year, kept me from offering this seminar a semester or two earlier.

So, I’m pleased that Dean Meadows, our Associate Dean, Rodney Swain, and the Political Science faculty have agreed that the very special education that is intercollegiate mock trial (plus the two other law sports I coach) can also serve our newest Panther Cubs. I approach my Freshman Seminars charged up. This is a job I do for several reasons but one of the best is that I love to jump start a whole new brand of learning.

### **Course Objectives:**

**1.** Consistent with the Seminar’s title, I intend to help you develop the skills of lawyering particularly those of the trial lawyer. This semester, you will perform a raft of exercises all of which are “hands on, learn by doing” education. You will have opportunity to answer the question that has crossed the minds of the millions who have watched “Perry Mason” over decades of first runs and re-runs. The sight of Raymond Burr in business apparel raised your Maw’s and your Grandpaw’s almost age-old question: “Could I be a Perry Mason?”

Your answer to that worldwide question will be “Yes.” I write that with confidence and here’s why. Your application to enroll at UWM has been accepted. That assures me that you are “great clay.” I have 38 years under an ever-lengthening belt that says that I can teach “great clay” how easy it is “to be a Perry Mason.” Quell any apprehensions! The touchstone to all modern trial advocacy training is “the KISS rule:” reported as either “Keep it simple, simple” or “Keep it simple, stupid!”

**2.** The great majority of new freshman do not report that they’ll some day be lawyers. They’re unprepared to say that developing lawyering skills will ever do them practical good. My objective will also be to teach you argumentation and professionalism. As a college student, you have a growing likelihood that you will be a professional something. Argument is central to all of the professions.

Attributes solidified here will be the same as those honed in the intercollegiate mockers I coach. UWM has a long, long list of Bloch’s alumni. Quite a number are lawyers or judges. As many are teachers, members of the clergy, medical providers, business entrepreneurs, entertainers and so forth. It is common for my alumni to make contact and to report that they use the products I sculpt – sometimes daily. Those who coach mock trial as academicians often speak of “life skills” as a product.

**3.** This course will facilitate your moving up the hierarchy of learning using the building blocks of knowledge to demonstrate your comprehension and application to the hypothetical problem that will be addressed. You and your colleagues will work together to develop a professional strategy to address the problem and to analyze, synthesize and evaluate not only your mutual product but also that of an opposing side.

You will decide what arguments need to be made and then you will develop proof for the arguments to be advanced. When you learn that the college student is constantly called upon to make, build and defend arguments, you'll be ready to adapt from just being one who crams what others have argued into one who uses what's crammed to advance his or her own independent analysis.

**4.** I am absolutely bound and determined to be so "hands on" your first semester at UWM that you will leave comforting me that you're well set to shine at my "Great University." After two decades in the undergraduate trial business, I am now-more-than-ever convinced that the trial model is powerful education.

In 1987, I had brief contact with a primitive version of college mocking. Once I became UWM's coach, I began to see real remedial impact on students. Almost all of my mockers then were juniors or seniors and, since they could self-observe their progress, I often heard "I wish I started this sooner." As college mock trial coaches came to know each other in the law-sports' earliest days, our shared observation was that the endeavor changed our students.

These days, my goal for my squad is to develop each member's "total package." That objective cannot be achieved in only a semester. (If you're interested in that kind of product, you'll need to join the teams. All undergrads are welcomed.) But the first semester of mocking certainly delivers substantial progress. As coach, my skill is identifying the individual's strengths and weaknesses. (We all have both – trust me!) After all these years, that identification can be very rapid for, say, at least 90% of the attributes of interest. My job then is to work with the student to exploit her skills while addressing the weaknesses. There are essentially three types of weaknesses:

- A. Most can be easily corrected through concentration on change.
- B. Some cannot be fully corrected but can be effectively obscured.
- C. A few can be corrected but only over an extended period.

Watch how my suggestions will be to use your strengths to obscure those weaknesses. That happens a whole lot.

**5.** I am dedicated to making you the strategic student you need to be. You need to know that what's left of your life starts now. The very first semester of the freshman year is a significant component in what will brand you – good or bad – for the rest of your life. The grade point average is no less a brand applied to we in the academic and learned world than the brand cowpokes apply to the hindquarters of steers.

The standard is simple. If you will need to make a stellar impression, you need a 4.0 GPA. If you will need to make a strong impression, you need a 3.5 to 4.0 GPA.

The significance of the freshman year is also simple. Until you receive 30 credits, you're a freshman. If you give an average effort – a good faith try – your achievement may be average – that's 2.0 on the scale times 30 credits. In the rest of your 120-credit-or-so undergraduate career, even if you are the best in the freshman class and 4.0 thereafter, you are branded with a GPA no higher than 3.5 – the bare minimum for the strong impression. (Your only option then is more time so that the GPA is an average of more credits than the University says is the minimum needed to graduate.)

So my objective is to aid you in being far superior to average. Our mutual objective – shared by 20 or so plus this instructor – must be to lead the Class of 2013 in GPA.

**Course Materials:** Central to the course is the American Mock Trial Association's Case and the Midlands Rules of Evidence. Both are accessed on the AMTA website, [collegemocktrial.org](http://collegemocktrial.org). For the Case, hit the "Mock Trial" tab on the home page and next use Mock Trial Cases. **You will need a user name and password which I will only share upon your promise that you will share the user name and password with no one else.** The first version of *State of Midlands v. Jackie Owens* is 108 pages long. The Midlands Rules of Evidence, a clone of the Federal Rules, can be accessed on the "Mock Trial" tab under Rules. Download both the Case and Rules for class use.

UWM is one of the oldest of AMTA's near 300 member institutions. We pay registration fees annually so that our students, including you, may access the Case materials. But AMTA has a brand new rule restricting Case access which is the only reason I need your promise. I'm trying to be sure UWM is not the first program to violate a bizarre rule.

This year's case is criminal. The Case is expressly designed as a tool targeted to undergraduate students. (Nothing should be "over your head" but we can address anything that is.) The Case was developed by AMTA's Criminal Case Committee. I know the demand of that Committee's work because I sit on AMTA's Criminal Case Committee.

**Textbook/Articles:** I have reported to all enrolled, by UWM e-mail, that there is no standard textbook for the course. The readily available texts for law school trial advocacy courses are too ponderous for our purposes. They are also unnecessarily expensive. I have a fairly vast collection of trial ad books and articles that will be made available for borrow. Since you've saved on textbook costs, spend just a little on either a two- or three-inch three-ring binder or an expandable envelope to carry course materials. Trial preparation is paper-oriented.

**Article Discussions:** Throughout the first half of the course, time will be reserved for five different "article discussions." Your instructor will join students in sharing what assigned articles report and advise on the topics of direct examination, cross examination, objection practice, opening statements and closing arguments. Each student's contribution will be a report from an article he or she randomly drew on the first night of class. We will use perhaps a half hour to 45 minutes introducing each other to what "the pros" advise in these traditional components of the American trial. After each discussion, the articles will be added to a binder for student reference. (We will discuss whether that binder should be deposited in the Reserve Section of the Golda Meir Library.)

It is my intention to use the Article Discussions in lieu of the kind of lecturing I've been doing for the Legal Processes courses for years. Instead of one "talking head," as entertaining as that

head may be, we will all come to understand the gist of this together.

**Organization of Sessions: Congratulations!** This is the third semester I will teach this Freshman Seminar. Two years ago this was UWM's first Freshman Seminar conducted on the 160-minute, one-evening-per-week scheduling. Two hours and forty minutes is an awfully long time for anyone to concentrate! (It is common for trial judges to tell juries that we'll work in maybe hour or 75-minute spurts!) While the "pioneers in Perry Mason" adapted well to my 160-minute marathons, "the old-school" and obviously soft power holders have insisted that Bloch teach this Freshman Seminar in these itsy-bitsy 75-minute, twice-a-week increments. (UWM's "power holders" are typically very nice folks who are protective of our Panther Cubs. They figure our Cubs must build to the eventuality of one evening three credit courses. The old, bald, fat Panther says "Bah!" but readily adapts.)

### **Concentrating for, Ugh!, 160 minutes - or Even Only 75!!**

First, I concede that part of our newcomers' acclimating to university life is that at least some will be adapting from high school scheduling of classes to UWM scheduling. If your prep teachers taught in 40-minute sessions, the longer university sessions (50, 75, 160) will require you to adapt. I have great confidence that UWM students - even the youngest Cubs - can readily adapt.

Second, my mission is to help you build your ability to concentrate for longer periods of time. Being together for 15 weeks, we will start with lots of "quickies" that get us into and out of a subject. Variety is good for learning. As the semester progresses, we will gradually lengthen tasks developing the power of concentration. Weeks 12,13 and 14 will be trial performances. The standard there is 70 minutes on Mondays and 78 minutes on Thursdays.

Third, concentration is an important component of academic discipline. Figure it out. If the mind wanders after 30 minutes of a 50-minute lecture, the mind misses 40% of the content. Some of the loss will be insignificant but who can risk missing even 20%? Are you planning to succeed with only 80% comprehension? Do you think you'll catch up on what was lost just reading the instructor's assignment? Outstanding instructors intentionally pack their intended punch at the outset of each session. But it is your future! What can you do to survive the other than outstanding instructor?

Fourth, what is your strategic technique to concentrate and fight your boredom? Will a Sweet Tart renew your zip to at least cut the loss in half? Will you have a "gimme a break" question ready each class session in order to participate in discussion at your most difficult moment? How about the "Excuse me! My pen ran dry!" basis to verbalize? (It is still good once a semester!) **Or** have you a buddy in every course who has agreed to sit with you, divide the note-taking responsibility allowing on-again, off-again periods for the whole class session?

**Universal Assignment:** Course question for each session. I will always, as a matter of habit, start every night with an open forum for your questions and comments. So sorry! I will not leave it up to you to have a question. You **will** have a question each week! It may either expressly deal with course content or with your experiences and needs as a UWM freshman.

**Why?** Freshman Seminar (teaching) Training has included panels of those who completed Freshman Seminars. The panelists all nodded their little heads agreeing that

freshmen are too intimidated to ask questions. Then experienced Freshman Seminar instructors get together and report that they can't get the freshmen to talk.

Well!

Bloch, I absolutely guarantee you, can get everyone to talk! I refuse, stubbornly refuse, to so underestimate UWM freshmen as to imagine they will not even talk.

**Universal Assignment:** Office hours visit with your "prof from hell" with your follow-up, in the form of a witness affidavit, of your observation and experience in this setting. (Freshmen need to address those whose material or approach they find difficult.)

**Why?** Because the profs from hell are the ones who most need a visit from our strategic student.

**Calendar (Bold dates are Thursdays):**

**9/3: Course and Case Introductions**

**9/10: Direct Exam**

9/14: Direct Drafting/T-Charts # Article Discussion

**9/17: Direct-Witness**

9/21: 3:45 Exercises

**9/24: Cross** # Article Discussion

9/28: Cross Reverse-Whasks

**10/1: Cross Drafting/T-Charts**

10/5: 3:45 Exercises \*

**10/8: Objections** # Article Discussion

10/12: Scavenger Hunt

**10/15: Opening Statements** # Article Discussion

10/19: Objection Jeopardy!

**10/22: Opening Drafting**

10/26: 4-5 Exercises

**10/29: Closing Argument** # Article Discussion

11/2: Closing Drafting

**11/5: 4-5 Exercises**

11/9: PMT Draft Day

**11/12: Free Practice**

11/16: Free Practice

**11/19: Free Practice**

11/23 : Trial #1 Opening/Plaintiff **A (Plaintiff) v. B (Defense): C judging**

11/30: Trial #1 Defense/Summation

**12/3: Trial #2 Opening/Plaintiff B (Plaintiff) v. C (Defense): A judging**

12/7: Trial #2 Defense/Summation \*

**12/10: Course Eval and Trial #3 Opening/Plaintiff C (Plaintiff) v. A (Defense): B judging**

12/14: Trial #3 Defense/Summation

**12/17 or 12/21: Final Exam**

**Leading**

**Relevancy**

**Foundation**

**Establishing Expertise**

**Hearsay**

**Hearsay Exceptions**

**Character**

**Form and Spin**

**Black and Gold Halloween**

\* Monday Night Football: Packers play Minnesota in October and Baltimore in December

This semester's schedule is a tad awkward since we start before a late Labor Day. We will compensate! Some might even say this affords easier scheduling for the students.

Typically, we will have one night where we will address what, say, direct examination is all about: its function in the trial, evidence issues related to the function and how one goes about preparing for the trial function. That night we will have class exercises designed to "get your feet wet" with the function and the students will leave with exercises and assignments designed to build confidence and get a grasp of the function.

The assignments will often include preparing one or two examples of the function from the Case Materials. The examples will often be subject to a time limit. Why a time limit? Because time limits in these exercises force the student to make decisions: "I don't have time to include everything, so what is the most important stuff I must include?" That decision-making is good (critical analysis is good) so we aim to be solid, strategic decision-makers!

At the second or third session on each function, we will be "strutting the stuff" we've prepared.

You also see above that eight early sessions will include brief instruction on a category of evidentiary law. The law of evidence exists in order to limit information that decision-makers, often lay decision-makers like jurors, consider to the best information. Learning rules of evidence and then applying them can be quite helpful in the academic arena!

**Grading:** This course will have the following grade factors:

**A. Attendance/punctuality:** I record attendance in session increments. So, you have 28 increments. Each student is permitted to be absent for two increments **before November 23** without explanation and without final grade impact. Sessions on and after November 23 require your performing **with teammates** and are mandatory - absent the excuse of a recognized religious holiday. I expect my students to be on time (and with cellphones, etc., turned off) so that we can work appropriately in team exercises. If a student is unduly tardy, that tardiness will be recorded and treated as time against one of the allowed increments. (I acknowledge that anyone can have necessary or unexpected delay on occasion. I'm concerned with accumulation of such occasions – not the once in a semester "oops!")

In reaching a final grade, I will reduce the final grade one level (A to A-) for each two increments in addition to the two "free absence" increments allowed. This effectively means that you get the equivalent of two nights' "free cuts" as long as those nights are not those where your absence impacts a classmate or team. I call this attendance policy my determination of the student's "maximum allowable grade."

The course will meet Monday and Thursday evenings in Bolton 80 from 6:30 to 7:45 P.M.

**B. Mandatory Participation:** There are four "assignments" that I believe are so significant to course performance that the student will have one and only one opportunity to participate in a particular way and that way cannot be made up in the event the student is absent or unprepared to perform:

1. The Article Discussion: If you know you must be absent for the increment or session

where you are part of the panel, it is important to arrange well in advance to be a part of a different panel instead! Panels will address, for example, objection practice only on October 8! If you miss your time, there's no recovery.

2., 3., 4. In the full trials scheduled November 23 through December 14, every student has a role within each trial. You will be drafted on to teams A, B or C. You will perform as an attorney on one side of the Case and as a witness or witnesses on the other side of the Case. When the team is "judging," you will be the presider for one witness and will be writing a written critique during the rest of the trial. There is **no way** for the instructor to allow any absent or unprepared student to make up for missing performances in the final trials. Trials require the interplay of actions by multiple actors.

**C. Final Examination:** The final exam will be "comprehensive" and objective in style. (True-false, fill-in-the-blank, multiple choice.) I typically have 160 items for my junior, senior, grad classes. I think 120 may be appropriate accommodation for a Freshman Seminar. The date of the Final Exam will be \_\_\_\_\_.

Leave it to the nationally recognized Bloch to come up with, of all things after all the years UWM has been around, a course scheduled that does not fit on UWM's final exam schedule. We will fill in the blank here on September 10.

**D. Trial Notebook:** Your trial notebook will include all of your exercises and trial preparation materials. It is something of a portfolio of what you have completed on paper in the course. Team B will turn in their trial notebooks at the conclusion of the December 7 trial. Teams A and C will turn in their trial notebooks at the conclusion of the December 14 trial. Trial notebooks will be available for return the Thursday evening after they are turned in.

In determining the final grade, I look for a superior performance by each student (A) in the trials **or** (B) on the Final Exam **or** (C) within the trial notebook **plus** adequate effort on the Article Discussion, the trials, exam and notebook. If I see one superior plus adequate effort, I award the student's maximum allowable grade.

This grading system has developed over the years because I recognize that the study of law, legal procedure and (for many) public presentation varies greatly student-to-student. If law and legal procedure is a new undertaking, it is unrealistic to expect error-free scholarship from the start. So, I am much less interested in where my student starts from and much more interested in what he or she can do at the end of the course. A good example might be my difference with some who teach a public speaking class. If I as an instructor say "your first speech is worth 20% of your final grade" and my student does not fare well in the first speech due to nervousness, my final grade may be grossly inaccurate if the student overcomes the nervousness in later speeches. The issue for me is not whether my student was once nervous but whether the student has learned to be comfortable in the speaking circumstance in the future.

**Caveat:** Since a healthy part of what I teach is the making of arguments, my UWM courses have always had a proviso that most of my UWM students claim is unique. I expect my students to argue for their Final Grade.

**Just "Opportunities:"** Part of this course will be the student's use of the AMTA Case, *State of Midlands v. Jackie Owens*, as a model of the jury trial experience. It should be clear that Poli Sci

193 students will not be alone at UWM in focusing upon this case as a model. UWM's mock trial program is a resource that the 193 students are free to use, if they choose, to their benefit:

A. Our intercollegiate mock trial teams meet for instruction, practice and preparation at least three times each week. Two of those times are Monday and Thursday nights from 7:55 to 9:10 P.M. These sessions are the Practicum in Mock Trial courses for some of the mockers and just preparation sessions for the rest. "Be Perry Mason" and the "Practicum in Mock Trial" courses meet in the same classroom back-to-back. The teams also gather typically at varying times on Sundays for further preparation on those weekends when we do not travel to tournaments.

The 193 students are welcomed to just observe and absorb or, if they wish, participate. We have veteran coaches and improving mockers who enjoy sharing tips and ideas. I expect our intercollegiate squad to be pretty ambitious this year.

**Prediction:** Newcomers to my competitive program sometimes feel left out of the crowd on their first visits to my team preparations. Please understand that mockers typically become very good friends - some become spouses! Teams travel, eat, sleep together. UWM teams are notorious throughout the nation because their infamous coach says that time away from the sport is vital. This coach worries if a lamb does not party with the flock.

B. There are a variety of AMTA invitational tournaments that are "get your feet wet" affairs in the Fall Semester. Some are scheduled for a two-trial Saturday only. I would even consider a team of 193 students for such a tournament. (Way back in '95 with my first thoughts on this course, I planned a tournament trip for the class. Unfortunately, the last tournaments of the Fall are now terribly rigorous affairs.)

There is nothing at all unusual about the 193 students joining and competing on the teams. It is fairly obvious that doing the course trials will be less difficult if one has done several to many earlier in the semester.

**If any 193 students wish to enroll in 268/468, they may do so by adding on September 3 or 10. A sample syllabus for 268/468 is available on-line at the Department of Political Science web page by hitting the Undergraduate Program tab, then the law sports link and then the sample syllabus link.**

C. In our Fall Semesters, I am now coaching three different law sports. Mediation culminates for Fall in November with the National Intercollegiate Mediation Tournament in Chicago. If UWM again advances to National Mediation's "Final Four" (as we did in 2002, 2006, 2007), we will have the option to enter the International Law School Mediation Tournament in March. I am waiting to hear whether the International will be conducted in Chicago, London or Munich.

Moot Court has our regional qualifiers on two weekends in November or December. If UWM advances, the National Undergraduate Moot Court Tournament is scheduled for Miami, Florida in January.

Mock Trial has the longest competitive season (I think) known to mankind. Invitationals exist in early October and run through January. Regional qualifiers are January and February. The National Championship starts in March and concludes in April.

**Introduction to the Case:** *State of Midlands v. Jackie Owens* was released August 15 to AMTA. It is purely hypothetical.

The Case is 108 pages long. It includes both statutory law and summaries of court case law that may be applicable to the issues tried. There are ten witness affidavits and numerous potential exhibits. In an AMTA mock trial, only six witnesses are called. There is a pre-trial procedure established to identify the witnesses called by each side in any particular trial. The *Owens* Case selection order is a component of the Case as are restrictions on use of witness characters on one side only. (AMTA witness characters are almost always gender neutral since some AMTA schools – at least at their outset – were single gender.)

The established format for AMTA trials are that each party has an opening statement limited to 5 minutes. The State's Case in Chief is allocated one hour where the State's three witnesses are all directly examined within a 25 minute period while the defense is allocated a total of 25 minutes to cross those witnesses. The examination clock stops whenever objection is made and resumes after whatever argument the ruling judge allows and that judge's ruling on the objection(s) argued. The rule of thumb is that AMTA trials reach half-time 70 minutes after they start.

There typically is a break (5 to 10 minutes) between the State's Case in Chief and the Defense Case in Chief. [For the Perry Mason trials, that break will grow to about 70 hours.] The same time limits apply to the Defense Case: 25 minutes total to direct three witnesses, 25 minutes total to cross those witnesses, the examination clock stops for objections. The trials conclude with "summation" (also known as "closing argument" or "jury address") where each side is allocated 9 minutes. The Plaintiff is allowed to reserve up to five minutes of its nine for rebuttal.

Our course trials will deviate only slightly. With 20 enrolled, we expect two teams of seven and one team of six. For teams of seven, we will add a witness so that every student performs at least once as a witness and at least once as an attorney. Every attorney does a direct and a cross. Each team will select which of its three attorneys on each side will present its opening statement and which will close. (The same student may not open and close for her team in a single mock trial.)

As an AMTA official, I have written that the beauty of our model is that we distribute to everyone "the exact same stuff." All are limited to using "the exact same stuff." Our competitions answer the question of, "using the exact same stuff," which group of undergrads will employ their intellectual creativity, their critical thinking and attention to detail to deliver the performance that most impresses. Just like intercollegiate mockers, "using the exact same stuff" is your challenge in 193.

### **Camaraderie**

I recognize that my messages somewhat "straddle the fence." Yes, undergrad education itself is a competition. Yes, I champion education in the competitive forum. Indeed, I preserve opportunities for UWM students to show in fair intercollegiate contests that our campus cedes "flagship" status to no other and that the "mid-" in "mid-major" volunteered South a couple of years ago. I preach "the UWM education is second to none" after something like 30 years observing undergrad products – both our products and "theirs" nationwide.

Here in 193, our ambition is **mutual** progress. Students should work hard (and play hard) as valued teammates. Your teammate in a given exercise may struggle where you don't struggle. You might come to think that a teammate is less talented or less contributing to the cause. The opinion should not influence how you, as an individual scholar, prepares. Your instructor is well aware that teamwork sometimes creates uncomfortable fits. Every student will be graded on individual performance. An impressive performance is even more impressive when known challenges are managed with finesse in the process.

Students will be encouraging with their peers and constructive. I tolerate no harassment. Frankly, if you happen to randomly pull one other than the ideal, you will learn even more about law and the trial practice. After all, most trial attorneys I know do not find their witnesses at "Central Casting." The law belongs to all of the people – even those with shortcomings.

### **Fall 2009 Administrative Additions to Syllabi**

1. The new **Student Success Center** is now located in Bolton 120. There is also a new **Learning Commons** in the Library. Use both of these resources to maximize your return on that tuition dollar.

2. **Academic Misconduct** is defined as follows:

Academic misconduct is an act in which a student seeks to claim credit for the work or efforts of another without authorization or citation, uses unauthorized materials or fabricated data in any academic exercise, forges or falsifies academic documents or records, intentionally impedes or damages the academic work of others, engages in conduct aimed at making false representation of a student's academic performance, or assists other students in any of these acts.

Prohibited conduct includes cheating on an examination; collaborating with others in work to be presented, contrary to the stated rules of the course; submitting a paper or assignment as one's own work when a part or all of the paper or assignment is the work of another; submitting a paper or assignment that contains ideas or research of others without appropriately identifying the sources of those ideas; stealing examinations or course materials; submitting, if contrary to the rules of a course, work previously presented in another course; tampering with the laboratory experiment or computer program of another student; knowingly and intentionally assisting another student in any of the above, including assistance in an arrangement whereby any work, classroom performance, examination or other activity is submitted or performed by a person other than the student under whose name the work is submitted or performed.

3. **Attendance.** While I think my syllabi have always clarified "excused absences," I will emphasize here that my courses *always* treat as other than absences certain reasons that my students may not be in our classroom:

A. We honor students' deeply held religious beliefs as well as their need to not be with us while exercising their faith. Bloch makes utterly no claim to any expertise as to the many religious practices enjoyed. Bloch, however, has expertise in First Amendment liberties which include our nation's religious liberties. No elaborate notification is required by this instructor on a claim of exercise of religion.

B. Just last semester, I had a UWM student called up for military duty. My policy is that students defending the nation are honored. They complete my courses.

C. Students representing the University have absences excused in those pursuits.

D. Late last Fall, a student in this Seminar (and his father) reached me on an evening where Wisconsin Winter weather came into play. While I am quite serious about the need to be present for the Perry Mason Trials, I also travel with students throughout the Winter months. My position is that safety is first.

E. **Flu-like symptoms!** Sensitive to H1N1 Influenza A dangers, UWM has dictated that students with flu-like symptoms "should not come to the university." Any and all policies stated in this syllabus may be adapted for fair and healthy completion of this course.

4. **Course Evaluations.** "Perry Mason" students will do separate course evaluations for both the Department of Political Science and the Freshman Seminars Program. Each session begins with opportunity to question *or comment*. As a Free Speech champion and recognizing that as instructor I am government, I see no reason why student evaluation need wait and, instead, encourage suggestions on how the course can better serve you.

5. **FERPA/Grade Posting/Early Warning System.** I never post grades or report grades other than through PAWS. My students often say in course evaluations that they did not know how they were faring throughout the semester. Rarely have they asked! My contact information is complete, in part, so that my students can have private conversation on any subject including their course progress. I use the EWS.

6. **The S.A.F.E. Campaign.** Since UWM has been my Great University since 1969, I report that I believe our campus community to be relatively safe. But I don't care where you go or what you do; you still must take precaution and employ common sense. My students are encouraged to sign up at [www.campussafety@uwm.edu](http://www.campussafety@uwm.edu) for the timeliest warnings of wrongdoers at or near UWM. As a criminal defense attorney here for 30+ years, I can report that people unnecessarily alone are too often victimized. Buddy up!

7. **Accommodation for "Disabilities."** I'm big on the ADA! My hunch is that most would not dream how far I'll go in accommodating students who report to me their needs.

8. **Coping with Stress.** Every UWM community member needs to be alert to stress that

we may be attempting to manage. Our campus has wonderful professional resources to address the coping with stress.

Throughout my adulthood, people have just sort of commented that they are surprised with how I manage the stresses that are inherent in my law practice and other pursuits. I constantly handle cases where my clients and their families are under terrible stress. I also inject myself in students' lives anticipating that some of them will struggle with stress. So I choose to **emphasize** that I am receptive to contact 24-7. I share all of my contact numbers fully expecting that those needing me who can't reach me on my cell **will** reach me at home, at my office. 24-7, this instructor "is there."