

Rule Update – Please see bolded section

1. Under **Rule 8.1c General Trial Procedures/Time Limits**: The “clock” will be stopped during objections (including any arguments related to those objections), bench conferences, the setting up of demonstrative exhibits prior to the examination of a witness (where such activity is permitted by the presiding judge), **questions posed by judges and/or responses to judges’ questions**, and court recesses.

Wolfe v. Shepherd: Case Corrections/Clarification

1. Reprimanded not “suspended”; Explanation: On page 25, Jordan Wolfe, Complaint, line # 8., second sentence, sixth word “reprimanded” is correct. On page 26, Drew Shepherd, Answer to Complaint, line # 8., 5th word “suspended” should read “reprimanded.”
2. Civil Citation on page 39 should be labeled Exhibit 1;
3. Policy Exhibit, page 52 – BPD should read CCPD;
4. Stipulations, pg. 29, #1. – “for the purposes of Rule 5-609(a)(1)”, referring to the Rules of Evidence, beginning on pg. 14, should read “for the purposes Rule 609(a)(1)”, cited on pg. 16 of the Rules of Evidence.
5. For clarification, when reviewing the Complaints, Answer to Complaint, Counter-Claim, Answer to Counter-Claim on pages 25 – 28, “admitted” means that these points are uncontested and do not need to be proven by any party. “Denied” means that a party bearing a burden must still prove these points with testimony during trial.
6. For purposes of clarification, the time stamp stated on the Uniform Civil Citation is the approximate time of the incident and not the time the citation was written.
7. If a presiding judge should make an inquiry about why Officer Wolfe is not being analyzed as a public figure, both parties should first instruct the presiding judge that both parties have agreed pretrial that Officer Wolfe is a private figure and not a public figure. If the presiding judge should ask further, both parties are instructed to inform the presiding judge that the public figure law was not part of the casebook and were intentionally left out of the casebook so that students would focus only on the law that affected this trial.
8. There has been some confusion over the word Commissioner in the problem. There are two different Commissioners in this problem. The "Police Commissioner", mentioned in the Header on Pages 44, 49, and 55, is the head of the Chesapeake County Police Department.

The "Commissioner" (mentioned on Page 27, Line 6 twice, Page 28, Line 6 twice, Page 31, Line 19, Page 34, Line 13, Page 36, Line 14) is an entirely different person. This Commissioner is a person who works for the Court system. Their job is to "receive applications and determine probable cause for the issuance of charging documents." If they determine charges should be issued, they advise the arrested person of their constitutional rights and either release them on their personal recognizance, set a bond or commit the person to jail.

They are two entirely different jobs working for two completely different government entities that only coincidentally have the same job title.

9. There has been some confusion regarding Stipulation #2 under Evidence (page 29) as it relates to the Channel 4 News Transcript (page 63). This document is a webpage from the Channel 4 Bay Retriever News that is an exact transcript of what was played during the newscast during all times discussed in the stipulation. It is a transcript. In addition to being a webpage published on the Channel 4 Bay Retriever News website, it should be treated as if you are watching the broadcast and hearing exactly what was stated in the broadcast.

10. Under Rule 8.3 "Student Attorneys:" Please note the addition of the underlined statement. The student attorney who directly examines a witness is the only attorney who many raise objections when that same witness is being cross-examined. The student attorney who raises objections on direct examination must be the same attorney who then cross-examines that same witness. This same principle applies if a Student Attorney calls for a bench conference; i.e. it must be the attorney currently addressing the Court. The student attorney who handles the opening statement may not perform the closing argument. Each student attorney may conduct only one direct examination, one cross examination, and must handle the objections for the witnesses they examined.