

University of Houston Law Center
Spring 2022
Depositions Class

Professor: Michael Morfey

Required Text: The Effective Deposition; Malone, Hoffman, Bocchino
(Current Edition)

NITA case file for Dixon v. Providential Life Insurance
Company (current edition)

Office Hours: By appointment

Phone: 713-220-4163 office 832-752-7795 cell

E-mail: Everyone should have access to e-mail and an e-mail account.
E-mail is the best way to contact Professor Morfey. You can reach
him at:

michaelmorfey@huntonak.com

Counseling and Psychological Services (CAPS)

CAPS can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let’s Talk” program, a drop-in consultation service at convenient locations and hours around campus. www.uh.edu/caps/outreach/lets_talk.html.

Sexual Misconduct Policy

The University is committed to maintaining and strengthening an educational, working and living environment where students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, there is a confidential reporting process available to you. For more information, please refer to the University system’s Anti-Discrimination Policy SAM 01.D.07 and Sexual Misconduct Policy SAM 01.D.08, available here:

<http://www.uhsystem.edu/compliance-ethics/uhs-policies/sams/01-general-information/index.php>

<http://www.uhsystem.edu/compliance-ethics/docs/sam/01/1d7.pdf> (antidiscrimination)

<http://www.uhsystem.edu/compliance-ethics/docs/sam/01/1d8.pdf> (sexual misconduct)

Please be aware that under the sexual misconduct policy, SAM 01.D.08, faculty are required to report to the University any information received regarding sexual misconduct as defined in the policy. Please note that the reporting obligations under the sexual misconduct policy reach to employees and students. Also, as a required reporting party, Law Center employees and faculty members are not a confidential resource.

Names and Pronouns

Chosen names and preferred pronouns (including non-binary ones such as they/them/their) must be respected in my classroom. Please feel free to reach out to me at any time if you want to make me aware of your chosen name or preferred pronoun, or if you have concerns about how I or your classmates address you.

Face-to-Face Class

The UH registration system instruction mode for this course is listed in parenthesis. After student registration in November, there may be instruction mode changes to this course up through Jan. 5th, 2022, but notice of such changes will be sent to then-registered students. Instructors and students are expected to normally be physically present in the classroom. If the course has a final examination, it will be in a classroom requiring your physical presence. Other assessment, such as a mid term exam, may also be in a classroom. Whether this instructor will offer “remote presence” (starting a zoom meeting from the podium computer to enable student remote access on an occasional basis) for part or all of the semester is not known, but students should not rely on an expectation that remote presence will be available.

Recording of Class

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the [Center for Students with DisABILITIES](#). If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor’s recordings for their own studying and notetaking. Instructor’s recordings are not authorized to be shared with *anyone* without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Syllabus Changes

Due to the changing nature of the COVID-19 pandemic, please note that the instructor may need to make modifications to the course syllabus and may do so at any time. Notice of such changes will be announced as quickly as possible during class and via email.

Required Daily Health Self-Assessment

Your presence in class each session means that you have completed a daily self-assessment of your health/exposure and you:

- Are NOT exhibiting any [Coronavirus Symptoms](#)
- Have NOT tested positive for COVID-19
- Have NOT knowingly been exposed to someone with COVID-19 or suspected/presumed COVID-19

If you are experiencing any COVID-19 symptoms that are not clearly related to a pre-existing medical condition, do not come to class. Please see [COVID-19 Diagnosis/Symptoms Protocols](#) for what to do if you experience symptoms and [Potential Exposure to Coronavirus](#) for what to do if you have potentially been exposed to COVID-19.

Course goals:

You will develop the skills necessary to prepare for, conduct, and defend the depositions of fact and expert witnesses.

Grading:

Your grade will be based on the following components:

- 50% Best five out of six quizzes spaced throughout the semester
- 25% Class Participation / Drills / In-class Exercises
- 25% Deposition Preparation Memo

Tentative schedule

- Class 1 Reading: Beginning the deposition and questioning techniques
(Chapters 6, 7)
- Class 2 Reading: Defending the deposition (Chapter 14)
Quiz #1
- Class 3 Reading: Deposition mechanics (Chapter 1)
Quiz #2
- Class 4 Reading: Dixon v. Providential Life
- Class 5 Reading: Preparing to grill the witness (Chapter 5)
- Class 6 Reading: Preparing your witness for the grill (Chapter 13)
Quiz #3
- Class 7 Reading: Using documents (Chapter 9)
- Class 8 Reading: Dealing with obnoxious lawyers (Chapter 11)
Quiz #4
- Class 9 Reading: Using depositions/impeachment (Chapter 16)
- Class 10 Reading: Ending the deposition and correcting transcript
(Chapter 10, 15)
Quiz #5
- Class 11 Reading: Depositions for use at trial (Chapter 17)
- Class 12 Reading: Expert depositions (Chapter 19)
Hand out materials for Preparation Memo
Quiz #6
- Class 13 Reading: Chapter 19, Appendix B
- Class 14 **Turn in Preparation Memo**