

University of Houston Law Center
Spring 2026 - 5200/11840
Depositions Class
Thursdays from 4pm – 6pm (in-person)

Professor: Michael Morfey

Required Texts: NITA case file for State v. Burns (current edition)
NITA case file for BMI v. Minicom (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@hunton.com

Learning Objectives/Outcomes/Goals:

From taking this course, students will learn and sharpen the skills necessary to take and defend the depositions of fact and expert witnesses. Those skills include:

- Identifying appropriate topics for questioning a witness
- Asking questions in the most effective manner
- Listening to live answers and formulating effective follow up questions
- Lodging appropriate objections when defending a witness
- Dealing with opposing counsel during the deposition process
- Using documents in a deposition
- Using deposition testimony in motion practice and at trial

Grading:

Your grade will be based on the following components:

50% Best five out of six closed-book quizzes spaced throughout the semester

25% Class Participation / Drills / In-class Exercises

25% Deposition Preparation Memo

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 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.

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

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.

Honor Code

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

AI Generated Text

The software technology known as artificial intelligence has recently expanded its capability to generate text (AI Generated Text). Examples of the technology include what are known as “generative” large language models (LLMs), and a specific implementation what is well known in the general public is ChatGPT. These systems can generate text in response to prompts and/or input of other text/documents/code/images. The output, the AI Generated Text, appears to have human mimicking “intelligence” and is thus potentially usable as a substitute for written work product one might generate themselves. AI Generated Text can include computer code or programs as well as human language content.

Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to not prompt, generate, obtain, read, or use any AI Generated Text in relation to any activity or assessment in this course. This applies to AI Generated Text from yourself or others. This pledge includes that your assessment work product in the course is without any contribution from AI Generated Text. This specifically extends to the plagiarism policy and unauthorized aid/materials parts of the Honor Code: AI Generated Text will be treated as from another/others in applying the plagiarism policy to this course. The term “assessment” means any work product generated for this course that is submitted to the instructor or presented in a class session, regardless whether it is graded content or not. Assessments include mid-terms and final exams. AI Generated Text may not be used in the development or drafting of any assessments created by you in a non proctored environment, such as a “take home” final examination unless specified as an exception below. The parts of the Honor Code that refer to unauthorized materials or aid are specifically prohibited from any use of AI Generated Text in this course unless specified as an exception below.

Law Center Attendance Policy

The Law Center has a minimum 80% attendance policy for students.

Tentative schedule

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| Class 1 | Deposition basics, different types of questions, and the importance of short ones |
| Class 2 | Funneling, exhausting, and tying off
Drills with State v. Burns
Quiz #1 |
| Class 3 | Don't rush in – how to effectively “nibble” with questions
Drills with State v. Burns
Quiz #2 |
| Class 4 | Using documents – how to vault from the plain text
Drills with State v. Burns |
| Class 5 | Defending a deposition – objections, privilege, and mindset |
| Class 6 | Preparing to take a deposition
Create in-class deposition outline
Quiz #3 |
| Class 7 | Preparing a witness for deposition
Drills with BMI v. Minicom
Quiz #4 |
| Class 8 | Drills with BMI v. Minicom
Quiz #5 |
| Class 9 | Using depositions/impeachment
Practice the impeachment drill |
| Class 10 | Ending the deposition and correcting transcript
Drills with BMI v. Minicom
Quiz #6 |
| Class 11 | Depositions for use at trial
Hand out materials for Preparation Memo
Drills with BMI v. Minicom |
| Class 12 | Expert depositions
Drills with BMI v. Minicom |
| Class 13 | Dealing with obnoxious opposing counsel
Drills with BMI v. Minicom |
| Class 14 | Turn in Preparation Memo |