

Federal CJA Trial Skills Academy (DRAFT)
California Western School of Law
April 25 - April 30, 2010
San Diego, CA

Sunday April 25, 2010

11:30 a.m. – 12:30 p.m. **Registration**

12:30 - 1:30 p.m. **Reception**

1:30 - 1:45 p.m. **Welcome and Introduction to the Academy**

1:45 - 3:00 p.m. **Attorney-Client Relations and Interviewing Skills (Plenary)**

TBD

This session will focus on important aspects of the attorney-client relationship, as well as the elements of, and techniques for, effective interviewing that promotes obtaining information from a client and others that will best allow the creation of a persuasive theory of the case.

3:00 - 3:15 p.m. **Break** (All breaks set up in 3rd Floor Lobby)

3:15 - 4:00 p.m. **Brainstorming the Facts (Plenary - Use of Plenary Fact Problem)**

Mario Conte, Distinguished Professor of Law in Trial Practice, California Western School of Law, San Diego, CA - CONFIRMED

This session will present the elements of effective brainstorming and include having all participants brainstorm the facts of the plenary fact problem.

4:10 - 5:30 p.m. **Brainstorming the Facts (Small Group Breakouts)**

Participants brainstorm the facts of their own cases in small group breakouts.

Monday April 26, 2010

* All plenary sessions will be conducted in the Moot Court Room on the 3rd Floor.

8:30 - 10:00 a.m. **Brainstorming the Facts (Small Group Breakouts Continued)**

10:10 a.m. - 12:15 p.m. **Interviewing Skills (Small Group Breakouts)** - Breakout Assignments and Room Designations Can Be Found on the Yellow Small Group Breakout Assignments Sheet

Participants practice interviewing techniques and skills and receive constructive feedback.

12:15 - 1:45 p.m. **Lunch**

1:45 p.m. - 2:45 p.m. **Theory and Themes / Storytelling (Plenary)**

*Anthony “Tony” Natale, Supervisory Asst. Federal Public Defender
Office of the Federal Public Defender for the Southern District of Florida -
CONFIRMED*

Having a theory of the case and supporting themes allows one to effectively organize a case and tell a persuasive defense story. This session will define a theory and theme and will present the elements of effective, persuasive storytelling. It will address how to develop theories and themes and weave them into a defense story.

2:45 - 3:00 p.m. **Break**

3:00 - 5:30 p.m. **Development of Theory and Themes and Storytelling
(Small Group Breakouts)**

Participants practice the development of theories, themes and storytelling elements.

5:30 - 5:45 p.m. **Break**

5:45 - 6:30 p.m. **Jury Selection and Voir Dire (Plenary)**

Richard Kammen, Kammen & Associates, Indianapolis, IN - CONFIRMED

One of the most important aspects of any trial is jury selection. This session will focus on goals in selecting a jury (including advancing the theory of the case), approaches to questioning prospective jurors, and the methods by which you can gather information from prospective jurors.

Tuesday April 27, 2010

9:00 - 11:10 a.m. **Jury Selection and Voir Dire (Small Group Breakouts)**

Participants will practice voir dire and receive constructive feedback.

11:10 - 11:20 a.m. **Break**

11:20 a.m. - 12:15 p.m. **Opening Statements (Plenary)**

TBD

Opening statement is one's first opportunity to tell the jury what your case is all about. It is a critical part of the trial. This session will focus on the goals of, and preparation for, an opening statement, how jurors perceive opening statements, and the nuts & bolts of how to construct an opening statement that will advance the theory of the case and defense story.

12:15 - 1:30 p.m. **Lunch**

1:30 -4:30 p.m. **Preparation for and Presentation of Opening Statements (Small Group Breakouts)**

Participants prepare and present opening statements and receive constructive feedback.

4:30-4:45 **Break**

4:45 - 5:45 p.m. **Cross-examination (Plenary)**

TBD

This session will cover goals of, and preparation for, cross-examination, effective cross-examination techniques, how to properly and effectively impeach a witness, and how to advance the theory of the case and defense story through the use of cross-examination.

5:45 - 6:15 p.m. **Impeachment Demo**

TBD

Presentation of an effective cross-examination, including proper and effective impeachment.

Wednesday April 28, 2010

9:00 a.m.-12:30 p.m. **Cross-examination and Evidence Issues (Small Group Breakouts With 10:30 Break)**

Participants practice cross-examination, impeachment of witnesses, and proper procedures for the use and admission of evidence during cross-examination, and receive constructive feedback.

12:30 - 1:45 p.m. **Lunch**

1:45 - 2:45 p.m. **Direct Examination / Client Prep (Plenary)**

Cynthia Roseberry, Executive Director, Federal Defenders of the Middle District of GA, Inc. - CONFIRMED

Direct examination provides another opportunity to advance the theory of the case and defense story. This session will cover techniques to use to present a compelling direct examination.

2:45 p.m. **Adjourn for the Day**

Thursday April 29, 2010

8:45 - 11:15 a.m. **Direct Examination / Client Prep (Small Group Breakouts)**

Participants practice direct examinations and receive constructive feedback.

11:15 - 11:45 a.m. **Break**

11:45 a.m. - 12:15 p.m. **Demonstrative Evidence and Aids (Plenary)**

Stephen Lindsay Fairview, NC - CONFIRMED

Sometimes, a picture is worth a thousand words. This session will address the elements of the effective use of audio-visual aids in litigation.

12:15 - 1:45 p.m. **Lunch**

1:45 - 2:40 p.m. **Closing Arguments (Plenary)**

TBD

Closing arguments are the last opportunity to communicate directly with

the jury. This session will cover techniques that can be used to effectively and persuasively communicate the theory of the case and defense story.

2:40 - 2:50 p.m.

Break

2:50 - 4:30 p.m.

Preparation for Closing Arguments (Small Group Breakouts)

With the assistance of faculty, participants prepare closing arguments that will be performed in the following breakout.

4:45 - 5:45 p.m.

Closing Arguments (Small Group Breakouts)

Participants perform closing arguments and receive constructive feedback.

Friday April 30, 2010

8:45 - 11:00 a.m.

Closing Arguments (Small Group Breakouts Continued)

11:00 a.m. - 12:30 p.m.

Brunch

12:30 - 2:45 p.m.

Closing Argument Demonstration and Jury Deliberations Observation

Demo and Observation in Moot Court Room; Deliberations in Roy Bell Reading Room, 3rd Floor

TBD

Participants observe a closing argument demonstration and view jury deliberations via closed circuit TV.

2:45 - 3:00 p.m.

Break

3:00 - 4:00 p.m.

Ethics Session (Breakouts)

4:00- 4:15 p.m.

Closing Remarks

Jon Sands, Federal Defender and Chair of the Training Expert Panel

4:30 - 5:30 p.m.

Reception - Doubletree Hotel

Additional Small Group Faculty

TBD