



PERSUASIVE WRITING WORKSHOP

ADMINISTRATIVE OFFICE OF THE U.S. COURTS DEFENDER SERVICES OFFICE TRAINING DIVISION

Omni Los Angeles Hotel at California Plaza
251 South Olive Street
Los Angeles, California
August 13-15, 2018

FINAL AGENDA (rev. 7/17/2018)

Monday, August 13, 2018

7:30 – 8:30 a.m. Registration - Continental Breakfast

8:30 – 8:50 a.m. Welcoming Remarks

Hilary Potashner, *Federal Public Defender, Office of the Federal Public Defender for the Central District of California, Los Angeles, CA*

8:50 – 9:00 a.m. Introduction to Workshop

Craig Crawford, *Attorney Advisor, Training Division, Defender Services Office, Washington, DC*

9:00 – 10:15 a.m. Plenary Session: Issue Spotting Using a Fact-Based Approach

Daniel Hansmeier, *Assistant Federal Public Defender, Office of the Federal Public Defender for the District of Kansas, Kansas City, KS*

Paige Nichols, *Assistant Federal Public Defender, Office of the Federal Public Defender for the District of Kansas, Topeka, KS*

Wouldn't you like some facts with that law? Knowing the law is great, but it only gets us halfway to a persuasively-written document. In this interactive session, we will use the mock case to learn a fact-based approach to spotting legal issues and organizing your persuasive pleading.

10:15 – 10:30 a.m. Break

10:30 a.m. –

12:15 p.m. Workshop Session I: Issue Spotting Using a Fact-Based Approach

Room locations for the small groups will be provided in a separate document available at the registration desk. All small groups will meet in the same rooms throughout the workshop. Facilitators are listed on the last page of this agenda.

Participants will meet with their small group facilitators to issue spot their cases using a fact-based approach.

12:15 – 1:30 p.m. Lunch – on your own

1:30 – 2:45 p.m. Workshop Session I: Issue Spotting Using a Fact-Based Approach (cont'd)

2:45 – 3:00 p.m. Break

3:00 – 4:15 p.m. Plenary Session: Discovering and Telling the Story

Fredilyn Sison, Assistant Federal Defender, Office of the Federal Public Defender for the Western District of North Carolina, Asheville, NC

Now that you have extracted the facts and identified the legal issues, you must develop the story of your case. This session will discuss the elements of the story; demonstrate how to craft the story using these elements; and discuss how to tell your client's story in the most persuasive manner by developing characters, structuring and sequence, and identifying the key emotions and themes. By the end of the session, you will understand the importance of summarizing the key factual, legal, and emotional aspects of your case that convey your story, before you begin to write.

4:15 – 4:30 p.m. Break

4:30 – 5:45 p.m. Workshop Session II: Discovering and Telling the Story

Participants will meet with their small group facilitators to apply storytelling techniques to the facts of their cases.

5:45 p.m. Adjourn for the day

Tuesday, August 14, 2018

7:30 – 8:30 a.m. Continental Breakfast

8:30 – 9:45 a.m. Workshop Session II: Discovering and Telling the Story (cont'd)

9:45 – 10:00 a.m. Break

10:00 – 11:15 a.m. Plenary Session: Writing, With Style, Part I – Macro

Jay McEntire, Senior Litigator, Federal Defenders of Eastern Washington and Idaho, Spokane, WA

Colin Prince, Trial Attorney, Federal Defenders of Eastern Washington and Idaho, Spokane, WA

This talk focuses on the big picture, including how to appreciate aesthetics, incorporate visuals, craft helpful headers, and stand out from other written documents. We'll also cover why getting emotional is important, an easy way to draft factual backgrounds, and ideas for organizing facts to flow into legal arguments.

11:15 – 11:30 a.m. Break

11:30 a.m.

– 12:45 p.m. Workshop Session III: Persuasively Writing the Facts

Participants will meet with their small group facilitators to draft and re-write the facts in their cases using the principles learned in the preceding plenary sessions.

12:45 – 2:00 p.m. Lunch – on your own

2:00 – 3:45 p.m. Workshop Session III: Persuasively Writing the Facts (cont'd)

3:45 – 4:00 p.m. Break

4:00 – 5:15 p.m. Plenary Session: Writing, With Style, Part II – Micro

Jay McEntire, Senior Litigator, Federal Defenders of Eastern Washington and Idaho, Spokane, WA

Colin Prince, Trial Attorney, Federal Defenders of Eastern Washington and Idaho, Spokane, WA

This talk focuses on the small picture – namely, the quantum physics of good writing. We’ll discuss what creates reader clarity, which necessarily includes hot topics such as nominalization, cohesions, coherence, dovetails, tee-ups, emphasis, and characters & actions. This session will also cover the principles of crafting a fact-driven legal argument, including providing techniques on how to blend the facts and the law.

5:15 p.m. Adjourn for the day

Wednesday, August 15, 2018

7:30 – 8:30 a.m. Continental Breakfast

8:30 – 10:00 a.m. Workshop Session IV: Writing the Argument

Participants will meet with their small group facilitators to draft and revise the first few paragraphs of the legal argument in their cases.

10:00 – 10:15 a.m. Break

10:15 – 11:45 a.m. Workshop Session IV: Writing the Argument (cont’d)

**11:45 a.m. –
1:00 p.m. Lunch – on your own**

1:00 – 2:15 p.m. Plenary Session: Channeling Mr. Rogers

Jay McEntire, Senior Litigator, Federal Defenders of Eastern Washington and Idaho, Spokane, WA

Colin Prince, Trial Attorney, Federal Defenders of Eastern Washington and Idaho, Spokane, WA

On May 1, 1969, Fred Rogers testified before a Senate subcommittee to save PBS from budget cuts. In just 6 minutes, Mr. Rogers turned the subcommittee from deep skeptics into passionate supporters. In this talk, we’ll discuss how to blend the moral psychology that Mr. Rogers relied on with classy writing to craft persuasive motions and briefs – no matter the audience.

2:15 – 2:30 p.m. Break

2:30 – 4:00 p.m. Workshop Session V: Polishing the Argument

Participants will meet with their small group facilitators to finish drafting and revising the first few paragraphs of the legal argument in their cases.

4:00 – 4:10 p.m. Closing Remarks/Adjournment

Craig Crawford, *Attorney Advisor, Training Division, Defender Services Office, Washington, DC*

CLE Accreditation

Small Group Facilitators:

Francisco Celedonio, *Assistant Federal Public Defender, Office of the Federal Public Defender for the District of Puerto Rico, San Juan, PR*

Craig Crawford, *Attorney Advisor, Training Division, Defender Services Office, Washington, DC*

Jayne Feldman, *Assistant Federal Public Defender, Office of the Federal Public Defender for the Western District of New York, Buffalo, NY*

Daniel Hansmeier, *Assistant Federal Public Defender, Office of the Federal Public Defender for the District of Kansas, Kansas City, KS*

Tieffa Harper, *Senior Litigator, Office of the Federal Public Defender for the District of Delaware, Wilmington, DE*

Candace Jackson-Akiwumi, *Assistant Federal Public Defender, Illinois Federal Defender Program, Inc., Chicago, IL*

Susan Lin, *Partner, Kairys, Rudovsky, Messing, Feinberg, & Lin, Philadelphia, PA*

Jay McEntire, *Senior Litigator, Federal Defenders of Eastern Washington and Idaho, Spokane, WA*

Paige Nichols, *Assistant Federal Public Defender, Office of the Federal Public Defender for the District of Kansas, Topeka, KS*

Colin Prince, *Trial Attorney, Federal Defenders of Eastern Washington and Idaho, Spokane, WA*

Paul Rashkind, *Supervisory Assistant Federal Public Defender and Chief of the Appellate Division, Office of the Federal Public Defender for the Southern District of Florida, Miami, FL*

Gary Rowe, *Assistant Federal Public Defender, Office of the Federal Public Defender for the Central District of California, Los Angeles, CA*

Fredilyn Sison, *Assistant Federal Defender, Office of the Federal Public Defender for the Western District of North Carolina, Asheville, NC*