

2014

# TRIAL SKILLS TRAINING CAMP

An Interactive Trial Advocacy Course for New and Seasoned Practitioners



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May 2, 2014

Cityplace Conference Center ■ Dallas, Texas

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Earn up to 7.50 Hours of Credit Including 2.75 Hours of Ethics Credit

Specialization Credit Approved for Civil Appellate Law,  
Civil Trial Law, Family Law and Personal Injury Trial Law

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## FRIDAY MORNING, MAY 2, 2014

### Presiding Officer:

Michael P. Maslanka, Constangy,  
Brooks & Smith, LLP, Dallas, TX

### 7:30 a.m. Registration Opens

Includes continental breakfast.

### 8:20 a.m. Welcoming Remarks

### 8:30 a.m. .50 hr

#### The Scarlet W: Waiver

Don't get the label. Learn the latest about preserving error at each stage of trial, including evidentiary objections, jury charge issues and directed verdict or judgment as a matter of law (JMOL). Learn how to avoid waiving your argument on appeal.

Scott P. Stolley, Thompson & Knight LLP, Dallas, TX

### 9:00 a.m. .75 hr

#### Voir Dire: Finding Your Enemies

Lessons for conducting effective *voir dire*, such as how to expose a possible bias and prejudice in potential jurors through the use of scaling questions and binary questions on jury questionnaires, as well as the use of five generational issues in jury selection.

##### Moderator:

T Nguyen, Turley Law Firm, Dallas, TX

##### Panelists:

Jason S. Bloom, M.A., Bloom Strategic Consulting, Inc., Dallas, TX

Trey Branham, Branham Law, LLP, Dallas, TX

Mary A. Noffsinger, Ph.D., Courtroom Sciences, Inc., Irving, TX

### 9:45 a.m. Bullpen Break

Opportunity to talk one-on-one with morning speakers in the "bullpen."

### 10:00 a.m. .75 hr ethics

#### Opening Statements and Closing Arguments without Violating the Golden Rule

Zealous advocacy or ethical violation? Are there things said in opening statements or closing arguments that aren't ethical? Learn about the impact of the Golden Rule argument on opening statements, closing arguments and damages.

##### Moderator:

E. Leon Carter, Carter Scholer Stafford Arnett Hamada & Mockler, PLLC, Dallas, TX

##### Panelists:

Jason S. Bloom, M.A., Bloom Strategic Consulting, Inc., Dallas, TX

Monica W. Latin, Carrington, Coleman, Sloman & Blumenthal, L.L.P., Dallas, TX

Pete Marketos, Reese Gordon Marketos, Dallas, TX

### 10:45 a.m. .25 hr

#### The Three Rules of Avoiding Disaster on Direct Examination

Three tips for getting key witnesses ready to testify, including witness evaluation, witness training and witness effectiveness testing with mock jurors.

Mary A. Noffsinger, Ph.D., Courtroom Sciences, Inc., Irving, TX

### 11:00 a.m. .25 hr

#### Use of Depositions at Trial

An examination of the rules regarding depositions and how to use depositions in court.

D. Shane Read, U.S. Attorney's Office, Northern District of Texas, Dallas, TX

### 11:15 a.m. .50 hr ethics

#### Handling Winning and Losing: A Conversation

Lawyers feel the pressure to win at trial. But how do they handle the temptation to cross an ethical boundary in order to win? How can a lawyer resist client pressure to cross a boundary? How should a second chair/associate deal with this issue if they see it? How can a lawyer handle losing and still maintain a sense of perspective? This session addresses these stressful issues and offer guidance on how best to deal with them emotionally and ethically.

Jim Dolan, MA, LPC, Psychotherapist, Executive Coach, Dallas, TX

Marc W. Joseph, Hagggar Clothing Co., Dallas, TX

### 11:45 a.m. Pick Up Lunch

Included in registration.

## FRIDAY AFTERNOON

### Presiding Officer:

Michael P. Maslanka, Constangy,  
Brooks & Smith, LLP, Dallas, TX

## LUNCHEON PRESENTATION

### 12:00 p.m. 1.00 hr | .25 hr ethics

#### How Judges Decide Cases

The judges discuss what they see lawyers do in the courtroom: the good, the bad and the painful. Learn what works well and get best practice tips for successful litigators.

##### Moderator:

Michael P. Maslanka, Constangy, Brooks & Smith, LLP, Dallas, TX

##### Panelists:

Hon. Kenneth H. Molberg, 95<sup>th</sup> Judicial District Court, Dallas, TX

Hon. Irma Carrillo Ramirez, U.S. Magistrate Judge, Dallas, TX

### 1:00 p.m. Break

### 1:15 p.m. .50 hr

#### When You Lose: A Game Plan

Yes, it happens. Transitioning from trial to appeal with a focus on the timing and substance of post-trial motions, bonds and notices of appeal.

Carl Cecere, Cecere PC, Dallas, TX

### 1:45 p.m. .50 hr

#### When You Win!: A Game Plan

Discussion of strategies for collecting on judgment, including post-judgment remedies such as judgment liens, garnishment, execution, turnover proceedings and receiverships under the DTPA.

Donna Brown, Attorney at Law, Austin, TX

### 2:15 p.m. .25 hr

#### Attorney Fees: Five Recent Cases You Must Know

The ins and outs of getting or fighting attorney fees.

Lené Alley DeRudder, Alley DeRudder Law, PLLC, Plano, TX

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E

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 7.50 hours, of which 2.75 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively-approved provider (#169).

2:30 p.m. .75 hr | .25 hr ethics

**Beyond the ELMO: Graphics, Models and Much More!**

Juries expect to see visual aids and technology in the courtroom. Learn from courtroom technology professionals about innovative tools to support your electronic trial presentation.

**Moderator:**

Sean T. Hamada, Carter Scholer Stafford Arnett Hamada & Mockler, PLLC, Dallas, TX

**Panelists:**

Ryan Malphurs, Ph.D., Courtroom Sciences, Inc., Irving, TX  
Justin McCoy, Courtroom Sciences, Inc., Irving, TX  
Laura McFerrin, Benchmark Legal Media, Dallas, TX

3:15 p.m. .50 hr

**The Paper Chase**

It's not just a movie. This session focuses on the interplay between discovery and trial, including pre-trial orders and disclosures. Exciting? Maybe. Crucial? Definitely!

Meyling Ly, Littler Mendelson P.C., Dallas, TX

3:45 p.m. **Bullpen Break**

Opportunity to talk one-on-one with afternoon speakers in the "bullpen."

4:00 p.m. 1.00 hr ethics

**The Ethics of Witness Preparation: A Peek Inside the Woodshed**

How far can you go in preparing your witness? Where is the line between preparing and coaching a witness? Explore strategies and tactics for preparing a witness with an emphasis on the rules that apply to witness preparation.

Prof. Frederick C. Moss (Emeritus), SMU Dedman School of Law, Dallas, TX

5:00 p.m. **Adjourn**

**REGISTRATION BENEFITS**

**Before the Conference:** Access course materials—downloadable PDFs of papers and slides—and speaker and attendee roster in *Your Briefcase* 48 hours before the conference.

**After the Conference:** Unlimited access to final, complete course materials—downloadable PDFs of papers and slides—in *Your Briefcase*.

**Bonus eCourses:** Complimentary 180-day access to Bonus eCourses—with papers, slides, and audio—for CLE credit you may have missed at the conference. Available in *Your Briefcase* 6-8 weeks after the conference.

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**REGISTRATION—Includes Course Materials and Luncheon Presentation**

For Group registration, call 512.475.6700.

**1. Select Registration Type**

- Individual registration by Wednesday, April 23 . . . . . \$295
- Individual registration after Wednesday, April 23 . . . . . \$345

**2. Select Course Materials Format**

- Electronic Course Binder on USB Key ONLY
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ConferenceComplete package includes Audio CD Set plus a Printed Binder and MCLE Reporting Form for each participant. Available for delivery 3–5 weeks after conference date. Shipping included.

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**DALLAS**

Friday, May 2, 2014

**CONFERENCE LOCATION**



**Cityplace Conference Center**  
2711 North Haskell Avenue  
Dallas, TX  
214.515.5100

**Parking:**

Complimentary self-parking  
(subject to change)

**NEARBY ACCOMMODATIONS**

Warwick Melrose Hotel Dallas  
3015 Oak Lawn Avenue  
Dallas, TX 75219  
214.521.5151

**Special Room Rate: \$159**

good through April 18  
(subject to availability)

**KEY DATES**

**April 23, 2014**

*last day for early registration*  
add \$50 for registrations  
received after this time

**April 25, 2014**

*last day for cancellation (full refund)*

**April 28, 2014**

*last day for cancellation (partial refund)*  
\$50 processing fee applied

**May 2, 2014, 8:20 a.m.**

*conference begins*

**CONFERENCE FACULTY**

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U.S. Magistrate Judge  
Dallas, TX

D. SHANE READ  
U.S. Attorney's Office, Northern  
District of Texas  
Dallas, TX

SCOTT P. STOLLEY  
Thompson & Knight LLP  
Dallas, TX

**REASONS TO ATTEND TRIAL SKILLS TRAINING CAMP**

- **Learn from experienced** practitioners, judges and courtroom technology professionals
- **Hear the latest** on preserving error at every stage of trial and avoiding waiver
- **Identify the interplay** between discovery and trial, including pre-trial orders and disclosures
- **Master conducting** effective jury selection
- **Gain insight** into the impact of the Golden Rule argument on opening statements, closing arguments and charges
- **Explore tactics** for preparing a witness and avoiding disaster on direct examination
- **Maximize use** of technology and visual aids
- **Examine the rules** regarding depositions and learn how to use depositions at trial
- **Hear judges' perspectives** on what does and doesn't work well in the courtroom
- **Analyze how to win** and lose ethically
- **Devise a post-trial strategy**, win or lose
- **Discover techniques** for getting or fighting attorney fees
- **Interact one-on-one** with the speakers in the "bullpen"