

**American College of Trial Lawyers
Trial Practice Seminar for Lawyers in the Public Interest
September 15-16, 2009
Atlanta, Georgia**

Tuesday, September 15, 2009

8:30 AM: Call to Order: Jerry A. Buchanan and Paul Painter, Co-Chairs

Welcoming remarks: John Dalton, President, ACTL
Chilton Varner, Regent, Treasurer Designate, ACTL

Introduction of Faculty

8:45-9:15: Panel discussion of general trial tactics, trial preparation, trial theme, trial notebook

Panelists: Ray Persons, Richard Sinkfield

9:15-10:00 Panel Discussion and Faculty Demonstration of Voir Dire

Jerry Buchanan for Plaintiff
Jud Graves for Defendant

10:00-10:15 **Break**

10:15- 10:40 Faculty Discussion of Opening Statements

Tony Cochran, Paul Painter

10:40-11:10 Faculty demonstration of Opening Statement

Tony Cochran for Plaintiff
Paul Painter for Defendant

11:15-12:30 Student breakout groups: Students to do Opening Statements

12:30-1:30 Lunch: Program: Faculty discussion of witness preparation: do's and don'ts, fair and unfair; prepping client (with privilege) vs. non-client (with no privilege)

Paul Painter to lead:

- 1:45-2:00 Faculty Discussion of evidence: The nuts and bolts: How to get a document or photograph from your briefcase into the jury's hands.
David Balsler, Jerry Buchanan
- 2:00-2:15 Faculty panel discussion of direct and cross examination of lay witness
David Balsler, Dave Burch
- 2:15-2:45 Faculty demonstration of direct and cross examination of lay witness:
Witness: Plaintiff
Dave Burch: Direct examination of Plaintiff
Cross examination of Defendant
David Balsler: Direct examination of Defendant
Cross examination of Plaintiff
- 2:45-2:55: Grab a snack or drink and head to breakout session.
- 2:55-4:30: Student break out groups, students perform additional opening statements if desired, direct and cross exam of lay witness; students to perform introduction of evidence
- 4:30: Reception sponsored by ACTL

Wednesday, September 16

- 9:00-9:20 Faculty discussion of direct and cross exam of expert witness
Ray Persons, Jon Peters
- 9:20-9:35 Defendant's Motion in limine/ O.C.G.A. § 24-9-67.1 / Daubert Challenge of Economics expert and Energy expert
Jon Peters for Defendant
Ray Persons for Plaintiff
- 9:40-10:15 Faculty Demonstration: Direct and cross examination of Plaintiff's Expert
Direct Examination: Ray Persons for Plaintiff
Cross Examination: Jon Peters for Defendant
- 10:15-10:30 Break

- 10:30-10:40 Plaintiff rests: Motion for Directed Verdict for Defendant:
Richard Sinkfield for Defendant
Dave Burch for Plaintiff
- 10:40-12:15: Student Break out sessions: direct and cross of plaintiff's expert, direct and cross of plaintiff if desired
- 12:15-1:15: Lunch: Joey Asher: Speechworks: "Story telling jury persuasion."
- 1:15-1:35: Faculty discussion of closing argument
Richard Sinkfield, Dave Burch
- 1:35-2:10 Faculty demonstration of closing argument
Dave Burch for Plaintiff
Richard Sinkfield for Defendant
- 2:15-2:20 Grab a snack and drink and go to breakout rooms.
- 2:20-4:00: Student breakout groups: Students to do direct and cross exam of expert witnesses, Closing Arguments
- 4:00-4:30: Closing session: Question and Answer session