



N L A D A P R E S E N T S

# DEFENDER ADVOCACY INSTITUTE

**A Trial Advocacy Training Program for Public Defense Professionals**



**JUNE 3 - JUNE 9, 2004  
UNIVERSITY OF DAYTON LAW SCHOOL  
DAYTON, OHIO**

# CURRICULUM

## **Designing a Winning Theory of Defense**

Every aspect of a successful criminal trial depends on having a successful theory of defense. Participants will learn how to develop a persuasive theory, use that theory as the focus for successful trial tactics and fashion it into a persuasive narrative for the jury.

## **Voir Dire and Jury Selection**

Learn the extraordinarily successful technique of “life experience voir dire,” which enables participants to understand how the personal experiences of your jurors shape their attitude towards the defense case. Participants will practice their voir dire on mock jurors drawn from a broad cross-section of the Dayton community. After the exercises, participants and jurors will have lunch together, providing an opportunity for valuable juror feedback to individual participants. Small group voir dire exercises will not be generic, but will be tailored to the way voir dire is done in the jurisdictions where participants practice. Participants will also learn how to introduce jurors to sensitive subjects, such as race and sex, that are often the source of challenges for cause.

## **Opening Statements**

Participants will work on opening statements that persuasively convey their theory of defense, and successfully frame the issues for the remainder of the trial.

## **Direct Examination**

Participants will learn how to prepare their witnesses (ranging from scientific expert witnesses to the most difficult clients), and how to ask questions that will place the theory of defense before the jury in a clear and compelling style.

## **Cross-Examination**

Small-group exercises will enable lawyers to develop case-specific ways of handling prosecution witnesses. Various techniques of questioning and impeachment will be covered.

## **Use of Demonstrative Evidence, Visual Aids and Affordable Technology**

Simple and inexpensive technology has made techniques more accessible to public defense professionals. The faculty will assist participants as they create visual aids and present demonstrative evidence to convey clearly to a jury the defense’s view of the facts.

## **Making Objections and Integrating the Law Into Your Theory of Defense**

Trial objections are not always a spur-of-the-moment event. Very often, defenders can anticipate and prepare objections and motions in limine that will appropriately limit the prosecution’s case. Participants will learn how to plan for and make objections that will keep out prejudicial evidence and advance the theory of defense.

## **Closing Arguments**

Every participant will have the opportunity to plan and practice a closing argument in their case that will not just sum up the evidence, but will persuade the jury to do the right thing.



# WHY ATTEND?

- *Defender Advocacy Institute is the only program in the nation where participants spend the entire conference working on their own real cases – not a hypothetical fact pattern.*
- *Defender Advocacy Institute is the only trial skills program in the nation that focuses on the specific needs of public defenders – not just on generic criminal trial practice.*
- *Defender Advocacy Institute emphasizes small group workshops, where participants receive individual instruction from our faculty of experienced defense lawyers. Each workshop group consists of two instructors and a maximum of six students.*
- *Lecturing is kept to a minimum, and students spend most of their time practicing trial skills in the context of their own real cases. By the end of the conference, participants are better prepared to return to their offices and successfully try the cases on which they have been working.*
- *Defender Advocacy Institute will be held at Keller Hall, the state-of-the-art, University of Dayton Law School building. There is no finer, better equipped, or more comfortable facility for teaching and learning legal skills.*

## **Continuing Legal Education Units**

NLADA will apply for CLE accreditation for all qualifying conference sessions in most states with mandatory CLE. Complete information will be available in the registration packet you receive at check-in. Please be familiar with the CLE requirements of your state.

## **Conference Hotel**

Dayton Marriott, 1414 Patterson Boulevard, Dayton OH

Phone: (937) 223-1000; fax (937) 223-6957

NLADA conference attendees staying at the Dayton Marriott will receive a special discounted room rate of \$94.00 single or double per night, exclusive of taxes. The deadline for reservations is May 17, 2004. After that date, requests for reservations will be accepted on a space and rate availability basis. All reservations must be guaranteed by credit card or deposit. Be sure to inform the reservations agent that you are with the NLADA Defender Advocacy Institute Conference to secure the discounted rate.

## **For More Information**

For more information on the substance of the conference, please contact Ira Mickenberg at (518) 583-6730 or iramick@worldnet.att.net. A detailed agenda will be mailed to you with your confirmation materials if your registration form is received by May 14, 2004. After that date, agendas will be available on-site with the materials you will receive at registration.

# NLADA's Defender Advocacy Institute 2004 REGISTRATION FORM

June 3 - 9, 2004 University of Dayton School of Law Dayton, OH

Please complete one registration form for each participant and return the registration form with your check payable to NLADA or credit card information (MasterCard or Visa only) to: DAI NLADA, 1140 Connecticut Avenue, NW, Suite 900, Washington, DC 20036, Fax: (202) 872-1031. Please be aware of the registration fee cut-off dates as indicated on the registration form. If you have any questions about registration, contact Jon Mosher at j.mosher@nlada.org or (202) 452-0620 ext. 213.

Name: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Title: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: ( \_\_\_\_\_ ) \_\_\_\_\_ Fax: ( \_\_\_\_\_ ) \_\_\_\_\_

**CURRENT POSITION:**  Assigned Counsel  Public Defender  
 Defense Investigator  Private Attorney  Other \_\_\_\_\_ (please specify)

<b>REGISTRATION FEES:</b>	<b>Until March 26</b>	<b>March 27 - April 30</b>	<b>After April 30</b>
NLADA Program and Chief Members	<input type="checkbox"/> \$720 early	<input type="checkbox"/> \$745 regular	<input type="checkbox"/> \$775 later
<i>Please include your program identification number _____. If you need to verify this number, please call NLADA's Member Services at 202-452-0620 extension 234.</i>			
Individual Members:	<input type="checkbox"/> \$770 early	<input type="checkbox"/> \$795 regular	<input type="checkbox"/> \$825 later
Non Members:	<input type="checkbox"/> \$870 early	<input type="checkbox"/> \$895 regular	<input type="checkbox"/> \$925 late

**MEMBERSHIP:** Join Now and Receive the Member Rate for DAI 2004

Individual Attorney \$90  Individual Non-Attorney \$50  Chief Member\*  Program Member\*  
*\*for membership information, please call 202-452-0620, ext. 234*

**SPECIAL NEEDS:**  Mobility  Audio/Visual Disability  Other \_\_\_\_\_

**PAYMENT:**  Check enclosed, made payable to NLADA  MasterCard  Visa

Credit Card # \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Expiration Date \_\_\_\_\_ / \_\_\_\_\_

Signature \_\_\_\_\_ Name on Card \_\_\_\_\_

**Trial Experience:**  Less than one year  1-5 years  6-12 years  
 More than 12 years Percent of practice devoted to indigent defense \_\_\_\_\_

**ALL PARTICIPANTS SHOULD BRING ONE OF THEIR OWN PENDING CASES TO WORK ON.  
THE CASE SHOULD NOT YET HAVE GONE TO TRIAL. INEXPERIENCED LAWYERS SHOULD FEEL  
FREE TO BRING NON-FELONY CASES.**

## Purchase Orders

Purchase orders must include a contact name and contact information regarding the appropriate accounting or finance department that will process the payment. Please complete the following:

Name \_\_\_\_\_

Phone \_\_\_\_\_

E-Mail: \_\_\_\_\_

## Cancellation Policy

Registration cancellations must be received in writing no later than May 3, 2004. Cancellations, transfers and refunds are subject to a \$50 administrative charge. After May 3rd registrations are transferable but not refundable.

Transfer requests must be received within 30 days after the conference to be considered. Transfers must be applied to another NLADA event scheduled prior to December 30, 2005 or will be forfeited. Substitutions may be made at any time with written notification of the NLADA Training Division.

## Responsibility

The National Legal Aid & Defender Association acts only as an agent for conferees in all matters regarding hotel accommodations and transportation. NLADA contracts with reputable independent contractors and suppliers known to provide the service offered in this announcement. NLADA is not responsible for any inconvenience, loss, injury, or damage from any cause whatsoever in conjunction with these services. If necessary, NLADA reserves the right to cancel or change the services described herein.

# WHO SHOULD ATTEND?

- *Attorneys who represent indigent persons in criminal proceedings and who wish to take an active role in improving their advocacy skills should attend NLADA's Defender Advocacy Institute.*
- *All experience levels will benefit and are welcome.*
- *Public defense providers and assigned counsel will receive priority.*
- *Enrollment is limited to just 60 participants on a first-come-first-served basis!*

***Register by March 26, 2004 to receive the best rate!***

## **Faculty List:**

Gary Asteak, (Easton, PA)  
Simmie Baer (Seattle, WA)  
Lenny Castro (Minneapolis, MN)  
Jim Cox (Somerset, KY)  
Mary DeFusco (Philadelphia, PA)  
Fred Friedman (Duluth, MN)  
Terry Harper (Bloomington, IN)  
Kendall Hill (Chicago, IL)  
Dave Knutson (Minneapolis, MN)

Steve Lindsay (Asheville, NC)  
Ira Mickenberg (Saratoga Springs, NY)  
Steve Rench (Denver, CO)  
Terry Richmond (Milan, IN)  
David Singleton (Cincinnati, OH)  
George Sornberger (Frankfort, KY)  
Mark Stanziano (Somerset, KY)  
Preston Tisdale (Hartford, CT)



NATIONAL LEGAL AID & DEFENDER ASSOCIATION  
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ORGANIZATION  
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PERMIT NO. 71

## UPCOMING DEFENDER TRAINING PROGRAMS & CONFERENCES

### **Life in the Balance**

March 13 - 16, 2004  
Memphis, TN

### **NDLI's Impact Leadership**

May 11 - 13, 2004  
Chicago, IL

### **Nuts & Bolts of Management and Leadership**

May 13 - 15, 2004  
Chicago, IL

### **NLADA's Annual Conference**

December 1 - 4, 2004  
Washington, DC

### **Appellate Defender Advocacy Training**

January 19 - 23, 2005  
New Orleans, LA

For more information about NLADA Trainings and Conferences, visit [www.nlada.org](http://www.nlada.org)