



Oregon Law Institute  
of Lewis & Clark Law School

# Trial Tips for the Litigator

Regardless of your experience level, this seminar offers a unique opportunity to learn from seasoned litigators, both plaintiff and defense, as well as trial judges, who will share their considerable expertise and insights.

## **Benefits of attending:**

- Master the legal rules and evidentiary value of demonstrative or illustrative exhibits during trial and other court proceedings
- Learn the proper methods of presenting expert testimony during trial from the perspective of a judge and experienced lawyers
- Hear what considerations should go into the decision to try your case to a jury and to the bench or to an arbitration panel
- Find out the importance of special jury instructions

**FRIDAY, OCTOBER 8, 2010**

Oregon Convention Center  
777 NE Martin Luther King Jr. Blvd.  
Portland, Oregon

6 General or Practical Skills MCLE Credits

# SCHEDULE

- 8:30 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:55 WELCOME AND INTRODUCTION
- 9:00–10:00 **Using Demonstrative Evidence to Win Cases**  
This session will address the legal rules and evidentiary value of demonstrative or illustrative exhibits during trial and other court proceedings. What works and what doesn't and why? Are they admissible evidence? Should they be disclosed to opposing counsel prior to their use at trial? What are the parameters of using exhibits that will not be offered as evidence?  
– *Janet Lee Hoffman*
- 10:00–10:15 BREAK
- 10:15–11:15 **Experts: The Lawyers' Perspective**  
This presentation will consider when expert testimony is necessary or merely helpful to prove your case, how to find the right expert, and how to get the most from the experts you have retained.  
– *Randolph C. Foster*  
– *Richard J. Vangelisti*
- 11:15–12:00 **Experts: The Trial Judge's Perspective**  
Learn how to qualify a witness as an expert, deal with disclosing the basis of an expert's opinion when it is otherwise hearsay, when and how to challenge the admissibility of expert testimony, and the difference between challenging an expert on qualifications versus challenging the methodology used by the expert to form his or her opinion.  
– *Hon. Janice R. Wilson*
- 12:00–1:15 LUNCH (on your own)
- 1:15–1:45 **Local Rules: Tips and Traps**  
This discussion will cover the most common tips and traps presented by the UTCR's and SLR's as well as some of the lesser known rules and procedures for submitting documents for in-camera review, taking out-of-state depositions, etc. The panel will also discuss changes to the ORCP for electronic discovery and the current fees associated with filing matters in state court.  
– *Lindsey H. Hughes*  
– *Hon. Adrienne C. Nelson*

# SCHEDULE (cont.)

- 1:45–2:15 **Trying the Expedited Summary Jury Trial**  
Learn about this newly available option for trying cases to a jury in lieu of mandatory arbitration and how to decide if the program is right for your case. This session will focus on what to expect if you opt in to this new program and how the program will operate in Multnomah County.  
– *Hon. Janice R. Wilson*
- 2:15–2:30 BREAK
- 2:30–3:20 **Trying Your Case: Jury, Court, or Arbitration?**  
What considerations should go into the decision to try your case to a jury, to the bench or to an arbitration panel? Learn how one experienced trial attorney would try the same case to a jury, to the court, or to an arbitrator.  
– *Richard J. Stone*
- 3:20–4:15 **Jury Instructions**  
Why are special jury instructions important? What do judges expect? What legal principles apply to jury instructions? What do you do when the judge doesn't give your requested instruction, or gives an instruction that you believe is incorrect? How do you preserve the error for appeal? What are the keys to effectively requesting special jury instructions?  
– *Hon. Stephen K. Bushong*
- 4:15 p.m. ADJOURN

# Program Faculty

**Hon. Stephen K. Bushong**  
*Multnomah County Circuit Court*

**Randolph C. Foster**  
*Stoel Rives LLP*

**Katherine Heekin**  
*Program Co-Planner*  
*The Heekin Law Firm*

**Janet Lee Hoffman**  
*Janet Hoffman & Associates LLC*

**Lindsey H. Hughes**  
*Keating Jones Hughes, PC*

**Hon. Marilyn E. Litzenberger**  
*Program Co-Planner*  
*Multnomah County Circuit Court*

**Hon. Adrienne C. Nelson**  
*Multnomah County Circuit Court*

**Richard J. Stone**  
*Ball Janik LLP*

**Richard J. Vangelisti**  
*Vangelisti Kocher LLP*

**Hon. Janice R. Wilson**  
*Multnomah County Circuit Court*

## LIVE PRESENTATION

**Portland – 10/8/10**  
Oregon Convention Center  
777 NE MLK Jr. Blvd.

## MCLE CREDIT

*Trial Tips for the Litigator* will receive 6 General or Practical Skills MCLE credits.

## PROGRAM PRODUCTS

Even if you cannot attend, you can still get the program on CDs or DVDs. Use the order form in this brochure to order your set today! OLI Annual Passholders may purchase OLI program products at 50% off the full retail price.

## QUESTIONS?

Please call OLI at (503) 768-6580 in Portland or toll-free in Oregon at (800) 222-8213, e-mail us at [oli@lclark.edu](mailto:oli@lclark.edu), or visit our website at [www.lclark.edu/org/oli](http://www.lclark.edu/org/oli).

## VIDEO REPLAYS

Please register at least one week prior to the replay date.

**Bend – 10/22/10**  
**Replay 8:30 a.m.**  
Bryant Lovlien & Jarvis  
591 Mill View Way

**Eugene – 10/15/10**  
**Replay 8:30 a.m.**  
Harrang Long Gary & Rudnick PC  
360 East 10th Avenue, Ste. 300

**Medford – 10/15/10**  
**Replay 8:30 a.m.**  
Kellington Krack Richmond  
Blackhurst & Glatte LLP  
23 Newtown Street

**Portland – 10/27/10**  
**Replay 9:00 a.m.**  
Oregon Law Institute  
Gus J. Solomon Courthouse  
620 SW Main Street, Ste. 706

# Trial Tips for the Litigator

Friday, October 8, 2010

Name OSB No. or Profession

Firm/Organization

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Please "✓" appropriate box below:

- Live presentation
- Video replay. Location: \_\_\_\_\_ Date: \_\_\_\_\_  
Please register at least one week prior to the replay date.

## TUITION

*(Prices apply to live and video replays.)*

- \$179** Early registration *(received by October 4, 2010)*
- \$139** Early registration for new attorneys (admitted 2008–2010) and legal staff *(received by October 4, 2010)*
- \$90** Legal aid attorneys *(received by October 4, 2010)*
- \$15** OLI Annual Passholder (OLI Pass No. \_\_\_\_\_)
- \$20** Add to above tuition if registration received *after October 4, 2010*

## PRODUCT ORDER

*I am unable to attend. Please send me:*

- \$199** Audio CDs and course book
- \$299** DVDs and course book
- \$59** Course book only
- Deduct 50% from product order if you are an OLI Passholder (OLI Pass No. \_\_\_\_\_)
- \$7.00 Note: Add \$7.00 shipping & handling fee to above product orders.**

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Check out our website at [www.lclark.edu/org/oli](http://www.lclark.edu/org/oli)  
or e-mail us at [oli@lclark.edu](mailto:oli@lclark.edu).**

**CONFIRMATION:** Confirmation will be sent via e-mail.

**CANCELLATION POLICY:** Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by Monday, October 4, 2010.

**NEED ASSISTANCE:** If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.

**TUITION ASSISTANCE:** A limited number of scholarships are available based on financial need. Contact OLI.