



Oregon Law Institute  
of Lewis & Clark Law School

# Litigation Strategies and Tips:

## *Jury Selection and Presentation Skills*

**W**hether you are preparing for your first trial or your fiftieth, this seminar provides a unique opportunity to learn from seasoned litigators, both plaintiff and defense, as well as trial judges and trial consultants who will share their considerable expertise and insights into how to select the best jury for your case. They will also offer their perspectives on how best to present your case to the jury and how to preserve your record for appeal.

**FRIDAY, NOVEMBER 17, 2006**

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

6.5 Ethics MCLE Credits

# SCHEDULE

8:00 LATE REGISTRATION AND DISTRIBUTION OF MATERIALS

8:25 WELCOME AND INTRODUCTION

8:30 - 10:30 **Jury Selection**

- Discussing juror perceptions of voir dire
- Focusing on getting information first and delivering themes second
- Tactics on how to enhance juror candor
- The importance of a good high risk profile
- Using questionnaires effectively
  - *William A. Barton*
  - *Jill D. Schmid, Ph.D.*
  - *Ralph C. Spooner*

10:30 - 10:45 BREAK

10:45 - 11:45 **Jury Selection from the Judges' Perspective**

- Presenting the facts and law in jury selection – what the judge will allow
- Use of written jury questionnaires
- What jurors tell judges about jury selection
- Special problems in high profile cases (including juror privacy concerns)
- What judges see that works (and doesn't) in getting the information you need
  - *Hon. Charles D. Carlson*
  - *Hon. Douglas V. Van Dyk*
  - *Hon. Janice R. Wilson*

11:45 - 12:00 **Questions and Answers**

12:00 - 1:00 LUNCH BREAK (optional lunch at live program)

1:00 - 2:00 **A Toolbox of Trial Technology**

- Uses and examples of Trial Director, PowerPoint and LiveNote (*Barbara Rosier*, Stenograph Independent Training Agent, and *Janette M. Schmitt* of Schmitt & Lehmann, Inc., Court Reporters, will be presenting on LiveNote)
- Use and misuse of technology at trial
- Making your own timelines using timemap
- Technology options for every attorney
- Low key vs. high tech
  - *Joshua Callahan*
  - *Jane Paulson*

2:00 - 3:00 **How to Effectively Preserve Your Record for Appeal**

- Pretrial motions, including motions *in limine*
- Objections to the evidence and offers of proof
- Motions for directed verdict and for judgment as a matter of law
- Post-trial motions
  - *Jeffrey M. Batchelor*

3:00 - 3:15 BREAK

3:15 - 4:15 **Presentation Dos and Don'ts from the Judges**

- *Professionalism*: What judges expect from lawyers. Conferring with opposing counsel, making appropriate oral and written arguments, making non-speaking objections.
- *Preparedness*: Being familiar with and honoring timelines. Knowing the rules of court. Preparing jury instructions, marking exhibits.
- *Presentation*: Putting your best foot forward with the judge and the jury.
  - *Hon. Charles D. Carlson*
  - *Hon. Jean Kerr Maurer*
  - *Hon. George A. Van Hoomissen*

4:15 ADJOURN

# Program Faculty

**William A. Barton**

*Barton & Strever, P.C.*

**Jeffrey M. Batchelor**

*Markowitz, Herbold, Glade & Mehlhaf, P.C.*

**Joshua Callahan**

*Rose City Media*

**Hon. Charles D. Carlson**

*Lane County Circuit Court*

**John M. Coletti**

*Program Co-Planner*

*Tichenor Dziuba & Coletti LLP*

**Hon. Marilyn E. Litzenberger**

*Program Co-Planner*

*Multnomah County Circuit Court*

**Hon. Jean Kerr Maurer**

*Multnomah County Circuit Court*

**Jane Paulson**

*Paulson Law Firm Trial Lawyers, P.C.*

**Jill D. Schmid, Ph.D.**

*Tsongas Litigation Consulting, Inc.*

**Ralph C. Spooner**

*Spooner & Much P.C.*

**Hon. Douglas V. Van Dyk**

*Clackamas County Circuit Court*

**Justice George A. Van Hoomissen (Ret)**

*Oregon Supreme Court*

*Senior Judge*

**Hon. Janice R. Wilson**

*Multnomah County Circuit Court*

**LIVE PRESENTATION**

**Portland – 11/17/06**

Oregon Convention Center  
777 NE MLK Jr. Blvd.

**MCLE CREDIT**

*Litigation Strategies and Tips: Jury Selection and Presentation Skills* will receive **6.5** MCLE credits.

**PROGRAM PRODUCTS**

Even if you cannot attend, you can still get the program on audiotape, videotape, CD or DVD. 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 Web site 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 – 12/8/06**

**Replay 8:30 a.m.**

Bryant Lovlien & Jarvis  
591 Mill View Way

**Eugene – 12/1/06**

**Replay 8:30 a.m.**

Harrang Long Gary & Rudnick, P.C.  
360 East 10th Avenue, Ste. 300

**Medford – 12/1/06**

**Replay 8:30 a.m.**

Kellington, Krack, Richmond,  
Blackhurst & Glatte, LLP  
23 Newtown Street

**Portland – 12/13/06**

**Replay 9:00 a.m.**

Oregon Law Institute  
Gus J. Solomon Courthouse,  
620 S.W. Main St., Suite 706

# Litigation Strategies and Tips

## Jury Selection and Presentation Skills

Friday, November 17, 2006

Name \_\_\_\_\_ OSB No. or Profession \_\_\_\_\_

Firm/Organization \_\_\_\_\_

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Please "✓" appropriate box below:

 Live presentation
 Video replay. Location: \_\_\_\_\_ Date: \_\_\_\_\_  
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### TUITION *(Prices apply to live and video replays.)*

- \$159 "Early Bird" tuition *(received by November 13, 2006).*
- \$119 "Early Bird" tuition for new attorneys (admitted 2005–2006), paralegals, or secretaries *(received by November 13, 2006).*
- \$80 Legal aid attorneys and judges *(received by November 13, 2006).*
- \$15 OLI Annual Pass holder (Annual Pass No. \_\_\_\_\_).
- \$20 Add to above tuition if registration received *after November 13, 2006.*

### OPTIONAL LUNCH AT LIVE SEMINAR

- \$20 Add to above tuition
- Vegetarian  Dietary restrictions: \_\_\_\_\_

### PRODUCT ORDER

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

- \$179 Audiotapes and course book *or*  \$179 Audio CDs and course book
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 620 S.W. Main St., Suite 706  
 Portland, OR 97205-3037

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 card information to:  
 (503) 768-6585.

**QUESTIONS? Call (503) 768-6580 or (800) 222-8213.**  
**Check out our website at [www.lclark.edu/org/oli](http://www.lclark.edu/org/oli)**  
**or email us at [oli@lclark.edu](mailto:oli@lclark.edu).**

**CONFIRMATION:** Confirmation will be sent via e-mail or fax one week before the program.

**CANCELLATION POLICY:** Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by Tuesday, November 14, 2006.

**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.