

# KY DPA LITIGATION PERSUASION INSTITUTE: NEW AND ADVANCED PERSUASION LABORATORY

Sunday, October 2 - Friday, October 7, 2011; Kentucky Leadership Center, Faubush, Kentucky

**Sunday, October 2, 2011**

4:00 p.m. - 5:30 p.m.	REGISTRATION IN FRONT LOBBY
<b>Trial Skills Tracks</b> ( <i>Kidwell Rm - Downstairs</i> )	
4:30 p.m. - 5:30 p.m.	<b>COACHES MEETING</b> ( <i>Kidwell</i> )
5:15 p.m. - 6:00 p.m.	DINNER
6:15 p.m. – 6:45 p.m.	<b>Welcome</b> - Ed Monahan
7:00 p.m. - 8:00p.m.	<b>Overview of the Institute</b> - Jeff Sherr & Cynthia Roseberry
8:15 p.m. - 9:15 p.m.  <b>1.00 CLE</b>	<b>Introductions and Stories</b> - Small Groups
9:15 p.m. -	<b>SOCIAL</b> ( <i>Front Deck Outside</i> )

Directions to Participants for Sunday's & Monday's Small Group Work:

- **Pair-Up** tonight in the small group with another person so each of you can be the other's witness for interviewing, direct, or cross, etc.

**“It’s not the time in the ring that wins a fight, but the work at 4.30 a.m. with no one watching that makes me a champion”**



- Muhammad Ali

**Monday, October 3, 2011**

7:30 a.m. - 8:15 a.m.	BREAKFAST
	<b>Trial Skills Tracks</b> ( <i>Kidwell Room</i> )
8:30 a.m. – 9:30 a.m. <b>1.00 CLE</b>	<b>Brainstorming Techniques and Demo</b> - Jeff Sherr
9:45 a.m. - 11:00 a.m. <b>1.25 CLE</b>	<b>Brainstorming</b> - Small Groups
11:15 a.m. - 12:00 p.m. <b>.75 CLE</b>	
12:00 p.m. - 12:45 p.m.	LUNCH
1:00 p.m. - 1:45p.m <b>.75 CLE</b>	<b>Brainstorming</b> - Small Groups
2:00 p.m. - 2:45 p.m. <b>.75 CLE</b>	<b>Creating the Theory and Themes of the Case</b> - Ernie Lewis
3:00.m. - 4:15 p.m. <b>1.25 CLE</b>	<b>Draft Theories</b> - Small Groups
4:30 p.m. - 5:45 p.m. <b>1.25 CLE</b>	<b>The “Telling” of Storytelling</b> - Patti Heying and Jeff Sherr
6:00 p.m. – 6:45 p.m.	DINNER
7:00 p.m. - 7:30 p.m.	<b>Coaches Meeting</b> ( <i>Kidwell</i> )
8:00 p.m. – 9:15 p.m. <b>1.25 CLE</b>	<b>Performance of Theory</b> -Small Groups
9:15 p.m. -	<b>SOCIAL</b> ( <i>Front Deck Outside</i> )

**Tuesday, October 4, 2011**

7:30 a.m. - 8:15 a.m.	BREAKFAST
	<b>Trial Skills Tracks (<i>Kidwell Room</i>)</b>
8:30 a.m. - 9:45 a.m. <b>1.25 CLE</b>	<b>The “Story” of Story Telling. Storyboarding, Scene Building and Putting It Together</b> Jeff Sherr
10:00 a.m. – Noon <b>2.00 CLE</b>	<b>Story Boarding, Scene Building and Evidence Checklists</b> - Small Groups
12:00 - 12:45 p.m.	LUNCH
1:00 – 2:00 <b>1.00 CLE</b>	<b>Story Boarding, Scene Building and Evidence Checklists</b> - Small Groups
2:00 – 2:45	<b>Break</b> – <i>nap or exercise recommended</i>
2:45 p.m. – 3:45 p.m. <b>1.00 CLE</b>	<b>The Story as Argument - Openings</b> - Lorinda Youngcourt
4:00 p.m. - 4:30 p.m.	<b>Coaches Meeting (<i>Kidwell</i>)</b>
4:00 p.m. - 6:00 p.m.	<b>Prepare Opening -- for Attorneys</b>
6:00 p.m. - 6:45 p.m.	DINNER
7:00 p.m. – 9:15 p.m. <b>2.25 CLE</b>	<b>Openings</b> - Small Groups
9:15 p.m.	<b>SOCIAL (<i>Front Deck Outside</i>)</b>

Directions to Participants for Wednesday's Small Group Work:

- **Voir Dire** - Determine main themes to explore in voir dire.
- **Direct** - Create Evidence Checklist for your direct tomorrow. Review Scene Building sheets related to this witness. Determine goals of the direct. Prepare outline of questions.

Nobody - repeat, nobody-gets it right the first time.”

- Tom Peters

**Wednesday, October 5, 2011**

7:30 a.m. - 8:15 a.m.	BREAKFAST
<b>Trial Skills Tracks (<i>Kidwell Room</i>)</b>	
8:30 a.m. - 9:30 a.m. <b>1.00 CLE</b>	<b>Voir Dire and Demo</b> - Shawna Geiger <b>Juvenile Track</b> – Interviewing – Simmie Baer (in small group)
10:00 a.m. - 12:00 p.m. <b>2.00 CLE</b>	<b>Voir Dire</b> - Small Groups <b>Juvenile Track</b> - Interviewing small group practice
12:00 p.m. - 12:45 p.m.	LUNCH
1:00 p.m. - 2:15 p.m. <b>1.25 CLE</b>	<b>Cross Examination</b> - Mary Moriarty
2:15 p.m. - 4:00 p.m. <b>1.75 CLE</b>	<b>Cross exercises and Prepare Cross</b> - Small Groups
4:00 p.m. - 5:45 p.m.	Break – <i>nap or exercise recommended</i>
6:00 p.m. - 6:45 p.m.	DINNER
7:00 p.m. - 7:30 p.m.	<b>COACHES MEETING (<i>Kidwell</i>)</b>
7:45 p.m. – 8:45 p.m. <b>1.00 CLE</b>	<b>DUI Investigation (<i>Main Room</i>)</b> - Kevin McClain
9:00 p.m. –	<b>SOCIAL (<i>Front Deck Outside</i>)</b>

Directions to Participants for Thursday's Small Group Work:

- **Cross** - Create Evidence Checklist for your cross tomorrow. Review Scene Building sheets related to this witness. Determine goals of the cross.

“Your notes for questions, openings, and closings should consist of single words or brief phrases, not full sentences. . . Many people let themselves believe that they can’t work from notes, and absolutely must have everything written out. Every single one of those people is wrong. They are simply afraid to try it often enough to get the hang of it. These people can be counted on to be boring in court, to lose juror attention, to have no idea how a jury is reacting, to have minimal rapport with jurors, and to have little control over witnesses.” - David Ball

**Thursday, October 6, 2011**

7:30 – 8:15 a.m.	BREAKFAST
	<b>Trial Skills Tracks (Kidwell Room)</b>
8:30 a.m. - 10:45 a.m. <b>2. 25 CLE</b>	<b>Practice Cross Examination</b> – Small groups
11:00 a.m. – 12:00 p.m. <b>1.0 CLE</b>	<b>Direct</b> - Deja Vishny
12:00 - 12:45	LUNCH
1:00 p.m. – 2:30 p.m. <b>1. 50 CLE</b>	<b>Practice Direct</b> - Small Groups
2:30 – 3:30 p.m.	<b>Break</b> – <i>nap or exercise recommended</i>
3:30 – 4:30 p.m. <b>1. 00 CLE</b>	<b>Closings</b> - Cynthia Roseberry
4:30 p.m. - 6:00 p.m.	<b>Prepare Closing</b> - Attorneys
6:00 p.m. - 6:45 p.m.	DINNER
7:00 - 7:30 p.m.	<b>COACHES MEETING (Kidwell)</b>
7:30 p.m. - 9:00 p.m.	<b>Working on Closing with Coach of Your Choice</b>
9:00 p.m.	<b>SOCIAL (Front Deck Outside)</b>

Directions to Participants for Friday's Small Group Work:

- **Closing:** Prepare a complete (beginning, middle and end) 8 minute powerfully Closing. Use at least one demonstrative aid to advance your most important point.

**Friday, October 7, 2011**

7:30 a.m. - 8:15 a.m.	BREAKFAST	
	<b>Trial Skills Tracks (Kidwell Room)</b>	
8:15 - 8:30	CHECK-OUT	CHECK-OUT
8:45 a.m. - 10:15 a.m. <b>1.50 CLE</b>	<b>Closings</b> - Small Groups	
10:30 a.m. - 11:00 p.m. <b>.50 CLE</b>	<b>Command Performances</b> - Selected participants	
11:30 a.m.	<b>Closing Remarks (Main Room)</b>	
12:00 p.m.	BOX LUNCH "TO GO"	

**KBA CLE CREDIT (60 minutes = 1 credit) - IF YOU ATTEND ALL SESSIONS**

KBA CLE credits:

**PRACTICE SKILLS TRACK: 30.50 General (0 Ethics)**

Invitation to Participants as you leave this week of learning:

- **We know that change will only happen if you choose to change.** Prepare yourself to make changes when you return to where you work to implement what you have learned this week. Identify the one change that you can most easily make and the one change that would make the most difference. Write them below. Find one person back in your workplace or in your personal life to be your supporter, coach, encourager on making these 2 changes.

- 1) Easiest Change:
- 2) Change that would make the most difference:
- 3) Person you will ask to help you make these 2 changes:

“It’s not a question of telling something that’s not true. It’s telling something that makes it true. That’s what makes a great trial lawyer.”  
-Stephen Wizner