

"Best advocacy course I have been to in 19 years."

Advanced Questioning Techniques

Direct, Cross and Re-Examination • Effective Opening Statements
Powerful Closing Arguments

At this "learn-by-doing" skills program, working in small groups with a sample case file, you will practice and refine:

- Opening statements and closing arguments
- Effective use of headlines
- How to be succinct in questions
- Taking and keeping control during direct, cross and re-examinations
- Tactics to help maximize favourable facts and minimize unfavourable facts

Plus! Don't miss the valuable **Optional Mock Trial and Feedback Session**, which will reinforce and apply your learning in a trial scenario.

Course Leader

James H. Seckinger, Professor of Law, University of Notre Dame (USA)

Faculty

Sandra Barton, Heenan Blaikie LLP

James W.E. Doris, Davies Ward Phillips & Vineberg LLP

Brian G. Grant, Lerner LLP

Rachel Grinberg, Barrister and Solicitor

Jonathan M. Rosenthal, Barrister and Solicitor

Kim Twohig, Ministry of the Attorney General (Ontario), Crown Law Office - Civil



DATES & TIMES

October 28 - 29, 2010

Day One: 12:30 p.m. - 5:15 p.m.

Day Two: 9:00 a.m. - 5:00 p.m.

OPTIONAL WORKSHOP

October 30, 2010

10:00 a.m. - 4:00 p.m.

LOCATION

Osgoode Professional
Development Centre
1 Dundas St. W., 26th Floor
Toronto, ON

Winner of ACLEA's*
Professional Excellence
2010 Award for Best Program
(Small Organization)



Advanced Questioning Techniques

Direct, Cross and Re-Examination • Effective Opening Statements Powerful Closing Arguments

**“Drills were very useful.
Excellent!”**

**“I loved the practical
method of learning.
Very good!”**

**“The linchpin of the
course is focus and short
questions. This course
is excellent because it is
hands-on and practical.”**

Trial advocacy is an art requiring constant refinement and practice. Whether you're a plaintiff or defence lawyer, civil or criminal litigator, *Osgoode Professional Development's* unique, limited-enrolment program, **Advanced Questioning Techniques**, will hone your trial advocacy skills and give you **the competitive edge you need to succeed in the courtroom.**

Developed by Professor James H. Seckinger, Notre Dame University, and recently recognized by the American Continuing Legal Education Association (ACLEA) for its innovative teaching methods, this hands-on, learn-by-doing trial skills training program is intended for lawyers who have practiced a minimum of 2 years with trial experience OR for those practitioners who have completed *Osgoode's Intensive Trial Advocacy Workshop*.

Using a sample case file, following lectures, discussion and demonstrations by top practitioners, you'll work in small groups and practice direct, cross and re-examinations, as well as exercises in opening statement and closing argument. You'll also receive suggestions and tips from your small group leaders that will enhance your trial skills and questioning techniques. Topics include:

- Learning how to build a foundation for success in opening statements
- Effective use of headlines
- Impact of open vs. closed questions
- Taking and keeping control during direct examination
- Tips and strategies to jump-start cross-examinations
- Tactics to help maximize favourable facts and minimize unfavourable facts
- Avoiding potential problems during closing argument

Plus! Don't miss the **Optional Mock Trial and Feedback Session** on October 30, 2010. This full-day mock trial workshop is essential to pulling together the skills learned in the program. You will also receive feedback on your trial performance from experienced litigators in a supportive learning environment.

This program is strictly limited to 48 participants; the workshop is limited to 24. Space fills up very quickly. Register now!

Register by visiting www.osgoodepd.ca, calling 416.597.9724 or 1.888.923.3394, emailing opd-registration@osgoode.yorku.ca or faxing 416.597.9736.

Course Leader



James H. Seckinger, one of the nation's outstanding trial-advocacy teachers, joined the faculty of the Notre Dame Law School in 1974 as an assistant professor of law, becoming an associate professor in 1976 and a full professor in 1979. In 1973, he became a member of the faculty of the National Institute for Trial Advocacy (NITA) and served as its director from 1979 to 1994. He earned his B.S. from St. John's University (Minnesota) in 1964, his M.S. from Vanderbilt University in 1968, and his J.D. from Notre Dame in 1968.

Professor Seckinger teaches and writes in the areas of deposition techniques, evidence, professional responsibility and trial advocacy. He co-authored *Problems and Cases in Trial Advocacy*, one of the leading books used to teach trial-advocacy techniques both in law schools and in continuing-legal-education programs for practitioners throughout the U.S. and Canada. Professor Seckinger has conducted advocacy skills programs throughout the U.S., and Canada, and in New Zealand, Australia, Singapore, Scotland, England, France, El Salvador, and Panama. He is also an academic fellow of the International Society of Barristers (since 1989) and a member of the New Zealand Law Society.

Agenda

Day One: Thursday, October 28, 2010

12:00 Registration

12:30 Welcome

Introductory Remarks on Trial Advocacy

**James H. Seckinger, Professor of Law
University of Notre Dame (USA)**

1:00 Introduction to the Structure of the Program

**1:10 Questioning Techniques: *Drills on the Fundamentals*
Part 1: Non-Case Specific Topics**

- Overview
- Demonstration by faculty
- Performance by participants in pairs
 1. practicing “succinctness” in questioning witnesses
 2. practicing “headlines” in questioning witnesses
 3. practicing “open questions” with witnesses
 4. practicing “closed questions” with witnesses
 5. practicing “summarizing facts” as in an opening statement

3:00 Refreshment Break

**3:15 Questioning Techniques: *Drills on the Fundamentals*
Part 2: Case Specific Topics**

- Exercise: maximizing a favourable factual theory or minimizing an unfavourable factual theory
- Demonstration by faculty
- Performance by participants in pairs on each of the 5 fundamental questioning techniques.
 1. practicing “succinctness” in questioning witnesses
 2. practicing “headlines” in questioning witnesses
 3. practicing “open questions” with witnesses
 4. practicing “closed questions” with witnesses
 5. practicing “summarizing facts” as in an opening statement

5:15 Look Ahead to Friday Workshops; Day One Adjourns

Day Two: Friday, October 29, 2010

9:00 Morning Address & Recap of Day One

**9:10 Opening Statements & Closing Arguments
Exercises on the Fundamentals – Part 1**

- Demonstration by faculty
- Performance by participants in pairs
 1. start an opening statement limited to maximizing one favourable factual theory
 2. start a closing argument limited to maximizing one favourable factual theory
 3. opening statement limited to maximizing one favourable factual theory

11:00 Refreshment Break

**11:15 Opening Statements & Closing Arguments
Exercises on the Fundamentals – Part 2**

- Demonstration by faculty
- Performance by participants in pairs
 4. closing argument limited to maximizing one favourable factual theory
 5. end an opening statement limited to maximizing one favourable factual theory
 6. end a closing argument limited to maximizing one favourable factual theory

12:45 Networking Luncheon

**1:30 Chief, Cross & Re-Examination
Exercises on the Fundamentals – Part 1**

- Demonstration by faculty
- Performance by participants in pairs
 1. examination-in-chief limited to maximizing one favourable factual theory
 2. cross-examination limited to maximizing one favourable factual theory
 3. re-examination limited to maximizing one favourable factual theory

3:15 Refreshment Break

**3:30 Chief, Cross & Re-Examination
Exercises on the Fundamentals – Part 2**

- Demonstration by faculty
- Performance by participants in pairs
 4. examination-in-chief limited to minimizing one unfavourable factual theory
 5. cross-examination limited to minimizing one unfavourable factual theory
 6. re-examination limited to minimizing one unfavourable factual theory

5:00 Closing Remarks & Program Concludes

Optional Workshop

Mock Trial and Feedback Session

October 30, 2010: 10:00 a.m. - 4:00 p.m.

Workshop Leader

**James H. Seckinger, Professor of Law
University of Notre Dame (USA)**

Based on the fact scenario used during the main program, participants will have the opportunity, in partners, to put what they have learned into practice and conduct a mock trial. The skills learned will be valuable to both criminal and civil practitioners.

Agenda [Cont'd]

The mock trial exercise brings together the various trial advocacy skills taught in the preceding day and a half into a full trial scenario. Each trial will be presided over by top litigators, who will provide individual critiques and coaching to participants at the close of the trial. This invaluable feedback will further develop, correct and refine advocacy skills. The main objective of the session is not to identify the "winner" of the case, but rather the team with superior advocacy skills.

It's rare to get a chance to get individual feedback beyond law school advocacy courses, and it's rare to get focussed expert practitioner feedback at all. This will be a supportive, non-intimidating environment geared toward helping you improve your trial performance. Preparation will be required; however, the results will be worth it. The enrolment will be strictly limited to ensure a quality experience, so register now. You'll be glad you did.

What Past Attendees Said:

"The emphasis on learning-by-doing was most valuable. The good habits become adopted as a 'matter of course' in what I do."

"All of the presenters were marvellous in the hands-on provision of advice."

Registration

Please complete all registrant information.

Register me for: **Advanced Questioning Techniques**

Course plus Workshop Course only

Name: _____

Title: _____

Firm/Company: _____

Practice Area: _____

Address: _____

City: _____ Prov: _____ Postal Code: _____

Telephone: _____ Fax: _____

Email: _____

- Add me to your mailing list
 Delete me from your mailing list
 If you do not wish to be contacted by e-mail, indicate here

Priority Service Code
(from mailing label below)

1 0 2 4 0 L

Fee Per Delegate

Course plus Workshop: \$1295 plus 13% HST for a total of \$1463.35; Course only: \$995 plus 13% HST for a total of \$1124.35. Fees include attendance, program materials, continental breakfast, lunch (Day Two and Workshop only) and break refreshments.

Group discounts are available for both on site and webcast participants.

Visit www.osgoodepd.ca for details. Please inquire about financial assistance and CLE credits.

CLE Credits

Approved in accordance with the requirements of the **LSUC Certified Specialist** program, **Barreau du Québec, BC CPD** and **NY CLE Board** (for transitional and non-transitional lawyers).

Payment Options

- Cheque enclosed (payable to York University — GST# R119306736)
 Bill my credit card: VISA Mastercard

Card# _____ Expiry: _____

Signature: _____ Payment amount: \$ _____

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund (less \$50 administration fee) is available if a cancellation request is received in writing 14 days prior to the program date. No other refund is available.

Dates & Times

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Day Two: 9:00 a.m. - 5:00 p.m.

Optional Workshop: October 30, 2010

10:00 a.m. - 4:00 p.m.

Please arrive a half hour early for sign-in and material pick-up.

Dress is business casual.

Location

**Osgoode Professional Development
Downtown Toronto Conference Centre**

1 Dundas St. W., 26th Floor
Toronto, ON M5G 1Z3

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4 Convenient Ways to Register

- MAIL** your registration form to:
Osgoode Professional Development
Downtown Toronto Conference Centre
1 Dundas St. W., 26th Floor
Toronto, ON M5G 1Z3
- ONLINE** at
www.osgoodepd.ca
- FAX** your registration to
416.597.9736
- CALL US** at **416.597.9724**
or **1.888.923.3394**