



Trial Advocacy Clinic

Benton & Franklin Counties Office of Public
Defense

Summer 2013

**Jury Selection Strategies
& Cross-Examining the
Expert Witness**

Interested in taking your trial skills to the next level?

The Summer 2013 Defender Trial Advocacy Clinic, to be held **Friday, July 26, 2013, from 8 am to 5 pm** at the **Benton County Justice Center**, sponsored and presented by the Benton & Franklin Counties Office of Public Defense will combine classroom sessions with realistic, practical simulation exercises in a real courtroom, to hone your trial advocacy skills.

Ideal for public defenders with up to 4 years of trial experience, this year's Clinic will focus on two very important components of trial skill: **Jury Selection** and **Cross Examination of Subject-Matter Experts**. This Clinic is open only to public defenders employed by or contracting with the Benton & Franklin Counties Office of Public Defense, and is pending approval for **7.5 General CLE Credits**.

Program Outline

8:00 – 9:00 (Health Department Classroom)
Lecture/presentation on “Effective Strategies for Jury Selection”

9:00 – 9:15 **Break**

9:15 – 12:00 (Superior Courtroom TBD)
Practical session on Jury Selection

12:00 – 1:00 **Lunch**

1:00 – 2:00 (Health Department Classroom)
Lecture/presentation on “Cross Examination of Subject-Matter Experts”

2:00-2:15 **Break**

2:15 – 5:00 (Superior Courtroom TBD)
Practical session on Cross Examination of Experts

Eligibility

This Clinic is **ONLY** open to public defenders who are employed by, or hold a public defense contract with, the Benton & Franklin Counties Office of Public Defense.

Space is limited to 8 participants and slots are filled on a **first come first served** basis. All applicants (other than BFOPD staff) must fill out an Application Form (next page) and if you are interested, your early application is encouraged.

Cost

The cost per participant is \$12. Please bring **cash** on the morning of the Clinic. This fee will go toward providing lunch for everyone (Subway sandwiches) including the instructors and 6-8 actors who will be assisting, and also possibly water and coffee throughout the day.

Just what is a “Practical Session” you ask?

It is an intensive, hands-on session in a simulated trial environment designed to give participants the opportunity to apply what they learn in lecture sessions. The Practical Sessions at the Trial Advocacy Clinic will be held in actual Superior Court courtrooms and will benefit from the assistance of local actors who will be playing various roles to make the training that much more realistic.

Practical Sessions follow this sequence:

- Student participates in timed simulation of particular trial component (eg Jury Selection). *This is videotaped.*
- The in-court faculty member provides a live critique mostly focusing on *substantive* aspects of the simulation.
- The student views the videotape of their simulation in another room with the video critique faculty member who provides critique on *stylistic* aspects of the simulation.
- In certain Practical Sessions, students are afforded the opportunity for a short “do-over” after the critiques if they desire.

Practical Sessions have been shown to be one of the best ways to develop excellent trial advocacy skills and they are regularly used in intensive trial advocacy courses and clinics around the country!

Faculty Profiles

Scott Johnson

Scott is in private practice at the law firm Mendoza & Johnson, P.S. where he has been since 2009, and holds one of Benton & Franklin Counties' homicide and persistent offender defense contracts. His practice focuses on criminal defense and civil litigation. Prior to his entry into private practice, Scott was a Deputy Prosecuting Attorney at the Benton County Prosecutor's Office for over 12 years, spending the last 5 of them as Chief Deputy Prosecutor. His experience with the Benton County Prosecutor's Office has not only intimately acquainted him with the local criminal justice system, but it has also given him exposure, often in a supervisory capacity, to the full range of misdemeanor and state crimes, from simple cases all the way to complicated homicides.

Scott has tried over 150 criminal cases to juries, has argued before the Washington State Supreme Court and Court of Appeals and has volunteered his time to coach mock court teams.

Eric Hsu

Eric is the Indigent Defense Coordinator for the Benton & Franklin Counties Office of Public Defense, a position he has held since 2008. Previous to that, Eric's criminal justice career spanned almost nine years and included time spent as a police officer, police academy legal instructor, police legal advisor, and felony prosecutor.

As a felony prosecutor, Eric tried over 80 cases to juries, ranging from DUIs to Attempted Murder and Murder cases and was a graduate of four week-long trial advocacy courses at the National Advocacy Center in Columbia, SC. Eric also spent four years as a faculty member with the National District Attorney's Association and was an invited lecturer and instructor for numerous training conferences throughout the country including intensive trial advocacy clinics at the National Advocacy Center.

Larry Zeigler

Larry is in solo private practice and holds a public defense contract with the City of Pasco for municipal cases. Larry's criminal justice career spans over 30 years and includes time spent as a police officer, Judge Pro Tem, arbitrator, criminal justice instructor, and long-time Superior Court public defense contractor.

As a Superior Court public defender, Larry has defended the full spectrum of criminal cases that go through that court, from minor possession crimes all the way to murder cases. Larry has tried well over 100 criminal cases to juries in his career and has developed a unique personal brand that has enabled him to be a very effective and memorable communicator to juries and clients alike.

Application

To be considered for this outstanding training opportunity, please complete this application in its entirety and return it as soon as you can to BFOPD. Since slot priority is on a first-come first-served basis, scanning and returning it by email to Eric.Hsu@co.benton.wa.us is recommended over courier or mail.

Name	<input type="text"/>	WSBA No.	<input type="text"/>
Current Public Defense Assignment	<input type="text"/>	Assignment End Date	<input type="text"/>
Years as a Public Defender	<input type="text"/>	Number of Jury Trials	<input type="text"/>
Years of Criminal Trial Experience	<input type="text"/>		

Qualified, under Supreme Court Public Defense Standards for (check all that apply):

- Misdemeanors Class B/C Felonies Violent Felonies
 Sex Offense Felonies

I hereby certify that I do not currently provide prosecution services for any jurisdiction, do not have immediate plans for doing so, and will take reasonable steps to ensure that materials provided during this training opportunity are not available to prosecuting authorities.

Applicant

Date

After completion, please return by: 1) Scanning and emailing to Eric.Hsu@co.benton.wa.us; or 2) Sending by legal courier to Benton & Franklin Counties Office of Public Defense, Kennewick Justice Center Office.