

Trial Technique And Evidence

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Trial Technique and Evidence - Michael R. Fontham 2008

North Carolina Evidentiary Foundations - Robert P. Mosteller
2012-04-06

Learn how to address and overcome evidentiary problems in North Carolina courtrooms. North Carolina Evidentiary Foundations brings North Carolina evidence law to life, showing you how to frame foundational questions to gain admission or exclusion of evidence. The book includes specific lines of questioning, demonstrating courtroom-proven trial techniques that apply North Carolina evidence law.

Fundamentals of Trial Techniques - Thomas A. Mauet 1980

California Evidentiary Foundations - Edward J. Imwinkelried
2019-10-18

California Evidentiary Foundations is the ideal one-volume guide for overcoming common, and not-so-common, evidentiary problems in the courtroom. This accessible, popular manual shows you how to frame predicate questions to gain admission or exclusion of specific types of evidence and includes a list of the foundational elements and examples of specific lines of questioning for establishing these elements. Each foundation is accompanied by a clear explanation of the supporting principles of California evidence law. Packed with proven trial techniques, California Evidentiary Foundations will help you prepare for every evidentiary challenge you may face at trial. California Evidentiary Foundations takes the abstract principles of evidence and organizes them into concise statements, and illustrates their uses with sample transcripts of the elements being applied in the courtroom. The publication helps attorneys focus their case around a theme and understand the theories behind proving up evidence in both civil and criminal cases. This concise manual includes complete references to the California Evidence Code, Rules of Court, key cases, legislative history, and citations to secondary authorities such as Jefferson, Witkin, and CEB texts.

Trial Evidence - Thomas A. Mauet 2019-09-13

Well-known and experienced authors, highly respected in the clinical field, Thomas A. Mauet and Warren D. Wolfson provide a complete review of the effective use of evidence in a trial setting. Trial Evidence, Seventh Edition is structured around the way judges and trial lawyers think about evidentiary rules, with particular focus on the Federal Rules of Evidence. Abundant real-life courtroom vignettes illustrate how evidentiary issues arise, both before and during a trial. Logical content organization follows the sequence of a trial: opening statement, direct examination, cross examination, and closing arguments. "Law and Practice" sections throughout the book are based on actual federal and state cases and bring decades of practical experience into the evidence classroom. The accessible style of Trial Evidence always focuses on practice over theory, on applying the statute rather than reading it. New to the Seventh Edition: Revised and expanded Sec. 7.1 and other sections dealing with the Sixth Amendment Confrontation Clause, including a broader understanding of the Supreme Court's decisions of *Bryant v. Michigan* and *Clark v. Ohio*. Expanded section 10.11's coverage of electronic evidence, with emphasis on ways to analyze issues concerning authorship of electronic messages. Added analysis of the hearsay exemption created by FRE 801(d)(1)(B)(ii) Updated recent rule changes, including the Ancient Document hearsay exception in FRE 803(16) and the self-authenticating electronic documents covered by FRE 902(13) and (14) Incorporation of all recent Supreme Court decisions affecting evidence law, including *Peña-Rodriguez v. Colorado*, which held the FRE 606(b) rule barring impeachment of a jury verdict is trumped by the Sixth Amendment when there is a showing that a deliberating juror was racially biased against the defendant Professors and students will benefit from: Clear, objective, up-to-date explanations of

evidence issues Content organization that flows logically through the stages of a trial Evidence law organized around the 3R's approach: relevant, reliable, and right A companion piece including hundreds of problems based on real, cited cases and focused on important, current issues

Practical Trial Handbook - Mark Curry 2021-07-04

The Practical Trial Handbook is a concise and practical treatise on the rules of evidence, trial procedures, and basic trial skills and strategies that every attorney must know in order to competently and effectively try any type of case in any jurisdiction. Referencing the Federal Rules of Evidence (FRE) and trial procedure, the handbook explains the fundamentals of a court or jury trial, from the motion in limine to the final argument and everything in between. Topics of discussion include pre-trial procedures, jury selection, witness testimony, opening statements, direct and cross-examination, witness impeachment and rehabilitation, foundational requirements for the admissibility of evidence, hearsay and other exclusionary rules, expert witnesses, trial objections, character evidence, and closing argument. Written by a retired trial court judge with 36 years of experience in the courtroom, the handbook also includes more than 150 "Trial Tips," practical real-world advice by the author on trying a case that cannot be learned in the classroom nor found in other trial treatises. They provide not only basic "how to" advice, but also give suggestions on trial tactics or strategies the author has found to be effective. These informal and wide-ranging "Trial Tips" are found throughout the handbook for nearly every stage of a trial and are what sets this handbook apart from the other trial guides. Regardless of the type of case or the jurisdiction, the same basic rules of evidence and trial procedure apply. Furthermore, in every trial an attorney must possess the requisite basic trial skills and knowledge to try the case, e.g., the ability to question witnesses, introduce evidence, or argue the merits. This handbook is designed to distill these fundamentals into one, concise, and easy to follow format. It is designed not only as a learning resource for law students and less experienced trial lawyers, but also as a refresher for the veterans. It is a handbook every attorney should have in his or her library for reference when preparing for the next trial or evidentiary hearing. This edition focuses on the Federal Rule of Evidence and basic trial procedure, making it applicable not only to Federal Court, but also to state court jurisdictions that follow the Federal Rules. There is also a companion edition, Practical Trial Handbook California, which references only the California Rules of Evidence and basic trial procedure. The Practical Trial Handbook California is also available on-line at:

https://www.amazon.com/dp/B098JVZRSX?ref_=pe_3052080_397514860
Practical Trial Website For more information on both handbooks, including introductory comments by the author, chapter summaries, and sample "Trial Tips," visit the handbook website at:
<https://www.practicaltrialhandbook.com/>

The Art & Science of Trial Advocacy - L. Timothy Perrin 2011-01-01

The Art and Science of Trial Advocacy, Second Edition, guides the reader through the trial process, suggesting techniques and strategies for each stage of the trial process--pretrial, trial, and post-trial motions; jury selection; opening statements; direct and cross-examination; and closing arguments. Included are illustrative transcripts explaining how to use the various techniques in an actual case, detailed guidance on the effective use of expert witnesses, and practical direction on the incorporation of exhibits and demonstrative evidence into case presentations. The book discusses basic principles of effective communication and persuasion, including the importance of the advocate's credibility and examples of how to develop case presentations that maximize the persuasive impact on judges and juries. The appendix includes the Federal Rules of Evidence. Additionally, the new Second Edition: Recognizes how the rapid

development of technology and its use in the courtroom has changed the way trials are conducted and the way lawyers present evidence and argue to the jury. Discusses the use of technology in the courtroom. Includes materials describing the technology now available to trial lawyers as they prepare and present evidence; and Provides "Tech Tips" on how technology might be used to enhance advocacy at various points of the trial.

Trial Techniques - Thomas A. Mauet 2007

This long-time leading course book is an invaluable source for prospective trial lawyers, presenting: - a best-selling author renowned for his skills both as a writer and litigator - a clear, engaging writing style that breaks the trial process down into its critical components for more thorough and efficient comprehension - excellent examples illustrating strategies for opening statements, jury selection, direct- and cross-examination, exhibits, objections, and more - an appendix containing the Federal Rules of Evidence for easy reference

Trial Technique and Evidence - Michael R. Fontham 2002

Marshalling the Evidence, Final Preparation for Trial [and] Pleading and Practice Before Trial - Harry Sabbath Bodin 1966

Trial Technique and Evidence - Michael R. Fontham 2013-06-28

Evidence and Trial Advocacy are often taught as if in practice; the topics are not related. The original edition of this title pioneered the concept that instruction on trial technique and evidence rules in the same volume is an effective way to teach either an evidence or trial advocacy course. This combination provides students with the foundation for becoming skilled trial advocates within the boundaries of the rules of evidence. Trial Technique and Evidence explains the purpose and application of each evidence rule. The practical methods of presenting evidence are balanced against the requirements of the rules. Indeed, many evidence rules are "practice" rules, either not covered in the formal rules of evidence or not addressed in detail. The basis for introducing demonstrative exhibits, for example, is not included in the federal rules, and impeaching witnesses in trial requires knowledge of practical technique. Trial Technique and Evidence allows a professor to incorporate practical requirements with evidence theory. The text also includes practical steps for compliance with the rules, with examples to facilitate the student's understanding, and addresses recent developments such as: • Jury persuasion • Application of rules to electronic evidence • Trends in applying the Daubert factors for assessing expert testimony • Amendments to the Federal Rules of Evidence

Model Rules of Professional Conduct - American Bar Association. House of Delegates 2007

The Model Rules of Professional Conduct provides an up-to-date resource for information on legal ethics. Federal, state and local courts in all jurisdictions look to the Rules for guidance in solving lawyer malpractice cases, disciplinary actions, disqualification issues, sanctions questions and much more. In this volume, black-letter Rules of Professional Conduct are followed by numbered Comments that explain each Rule's purpose and provide suggestions for its practical application. The Rules will help you identify proper conduct in a variety of given situations, review those instances where discretionary action is possible, and define the nature of the relationship between you and your clients, colleagues and the courts.

Trial Evidence, Civil Practice, and Effective Litigation Techniques in Federal and State Courts - 1991

Proof - Andrew Palmer 2014-12-18

The third edition of Proof includes clear, simple and easy-to-follow methods for organising and analysing evidence and includes an increased focus on the preparation of the defence case. A detailed Appendix provides a step by step analysis of a case and shows the practical application of charting evidence in order to construct the strongest possible case for presentation at trial.

The Art of Cross-examination - Francis Lewis Wellman 1904

Texas Trial Procedure and Evidence 2020 - Jim Wren 2019-08-28

Texas Trial Procedure and Evidence addresses the common issues that arise throughout the various phases of trial, starting with final pretrial hearings, progressing through jury selection, opening statements, direct examinations, cross examinations, the court charge conference, closing arguments, deliberations, verdict, post-trial motions, judgment and post-judgment motions in the trial court. The special rules governing bench trials, expedited trials and justice court trials are covered.

Fundamentals of Texas Trial Practice - Fourth Edition - Judge

Robert R. Barton 2014-11-01

The Fundamentals of Texas Trial Practice is comprehensive in that it covers trial preparation, making and responding to objections, jury selection, making an opening statement, conducting direct and cross-examination, impeaching and rehabilitating witnesses, offering and opposing exhibits, direct and cross-examination of expert witnesses, the court's charge to the jury, and closing arguments. As is true of a good trial lawyer, Fundamentals of Texas Trial Practice is brief and simple. Its coverage of the subjects of trial practice is succinct, direct and clear, and focuses on the fundamentals that are essential to being an effective trial lawyer. Each chapter contains cross-references to other chapters to enable the reader to perceive the progression of a trial and integrate its various parts into a coherent whole. At the end of each chapter is an extensive bibliography to relevant parts of leading treatises on trial advocacy. In sum, the Fundamentals of Texas Trial Practice is a valuable resource for both the novice and the seasoned veteran trial lawyer alike.

Trial Evidence, Civil Practice, and Effective Litigation Techniques in Federal and State Courts - American Law Institute-American Bar Association Committee on Continuing Professional Education 1993

Dynamics of Trial Practice - Ronald L. Carlson 1989

A Probabilistic Analysis of the Sacco and Vanzetti Evidence -

Joseph B. Kadane 2011-09-26

A Probabilistic Analysis of the Sacco and Vanzetti Evidence is a Bayesian analysis of the trial and post-trial evidence in the Sacco and Vanzetti case, based on subjectively determined probabilities and assumed relationships among evidential events. It applies the ideas of charting evidence and probabilistic assessment to this case, which is perhaps the ranking cause celebre in all of American legal history. Modern computation methods applied to inference networks are used to show how the inferential force of evidence in a complicated case can be graded. The authors employ probabilistic assessment to obtain opinions about how influential each group of evidential items is in reaching a conclusion about the defendants' innocence or guilt. A Probabilistic Analysis of the Sacco and Vanzetti Evidence holds particular interest for statisticians and probabilists in academia and legal consulting, as well as for the legal community, historians, and behavioral scientists. It combines structural and probabilistic ideas in the analysis of masses of evidence from every recognized logical species of evidence. Twenty-eight charts show the chains of reasoning in defense of the relevance of evidentiary matters and a listing of trial witnesses who provided the evidence. References include nearly 300 items drawn from the fields of probability theory, history, law, artificial intelligence, psychology, literature, and other areas.

Trial Evidence, Civil Practice, and Effective Litigation Techniques - 1989

An Introduction to Trial Technique and Practice - Generoso V. Jacinto 1990

California Evidence Benchbook - Bernard S. Jefferson 1982

Effective Pre-trial Technique - Josue N. Bellosillo 1990

Diokno on Trial - Jose W. Diokno 2007

Fundamentals of Trial Techniques - Thomas A. Mauet 2001

Presents a method of pre-trial preparation, discusses the skills and techniques which must be developed and employed during each phase of the trial process, and gives clear examples of how these techniques may be used at trial. The second edition is fully revised and takes into account the changes from the Evidence Act 1995.

Trial Fundamentals - Mark S. Curry 2017-08-27

Trial Fundamentals is a concise and practical handbook setting forth the nuts and bolts of trying a (non-criminal) case before a jury or the court. It covers not only basic trial procedure and the rules of evidence commonly used in the courtroom, but also explains basic strategies and trial skills necessary to try a case, such as tips on how to select a jury, how to effectively cross-examine and impeach a witness, and strategies for making a persuasive closing argument. Using California's rules of evidence and procedure for reference, the handbook follows the natural progression of a trial from the motions in limine through jury deliberation, and everything in between. Written by a Superior Court judge in California with more than 30 years of courtroom experience, the handbook includes explanation and commentary on the following areas: * In limine motions* Jury selection* Opening statements* Direct examination* Cross-

examination* Witness impeachment* Witness rehabilitation* Expert witnesses* Hearsay* Character evidence* Courtroom evidence* Trial objections* Closing argument* Deliberations In addition, the handbook contains numerous "trial tips," practical real-world suggestions by the author concerning courtroom presentation and trial etiquette, not found in other more formal trial treatises. Because a substantial portion of the handbook is devoted to basic trial skills and strategies, and because California's rules of evidence mirror, or are very similar to, many other jurisdictions, the handbook is also useful to practitioners outside California. The handbook is meant to set forth the basic fundamentals of a trial, both procedural and practical, in a concise, and easy-to-follow format. It is an excellent refresher for experienced trial counsel and a good learning resource for the less-experienced and law students learning the trade. For the fundamentals of a criminal trial see *Criminal Trial Handbook*, also published by the author.

Trial Techniques and Trials - Thomas A. Mauet 2013

"Trial Techniques and Trials, Ninth Edition, conveys an understanding of the strategies and thought processes that lawyers use in the courtroom to present evidence and make arguments persuasively. Clear writing and abundant examples by renowned author and litigator Tom Mauet explain and illustrate every step of the jury trial process. Still remarkably concise, the Ninth Edition combines the best from two of Mauet's most highly regarded texts, *Trial Techniques and Trials*. He took the best from each book, and the new combined text expands its coverage of trials with new chapters on jury selection, opening statements, closing arguments, and direct and cross examinations. It also sports an updated look and offers additional online resources for teaching - including an edited video of a jury trial"--Summary from book cover.

Fundamentals of Trial Techniques - Thomas A. Mauet 2015-02-09

Fundamentals of Trial Techniques Canadian Edition

Basic Trial Techniques - Roberto A. Abad 2018

Social Media as Evidence - Joshua Briones 2013-01-01

Introduction to E-discovery - Ralph C. Losey 2009

No one can operate effectively in the court rooms of tomorrow without a good understanding of wheres, hows and whys of digital evidence. As a cover-to-cover read to learn more about the hot topics and latest case law in e-discovery, this book can provide that understanding. After a read through, this book can be used again and again as a reference, with its appendix of useful reference materials to look up cases and arguments to use in daily practice. It's written in an easy-to-read style, making it perfect for anyone interested in e-discovery. Book jacket.

The Criminal Trial Handbook - Mark Curry 2015-10-14

The *Criminal Trial Handbook* is a concise and practical treatise that sets forth the nuts and bolts of what every lawyer needs to know to competently and effectively try a criminal case. Designed for use by both prosecutors and defense attorneys, experienced and inexperienced, the handbook is compiled and written by a California Superior Court judge with nearly 30 years of courtroom experience. It follows the natural progression of a jury trial from the first day counsel arrive at the courtroom through the closing argument. At each stage of a trial, the applicable rules of courtroom procedure and evidence are explained. It covers common evidentiary trial issues, such as hearsay and character evidence, and includes the verbatim text for some of the most commonly used California Evidence Code sections and selected case law authorities. Topics covered include: * Pre-Trial Motions* Discovery* Jury Selection* Opening Statements and Closing Arguments* Direct Examination* Cross-Examination* Expert Witnesses* Hearsay * Character Evidence* Writings* Foundational Requirements for Evidence* Objections* Deliberations In addition, the handbook describes basic trial tactics, such as how to effectively cross-examine a witness, how to present evidence in the courtroom, and how to make persuasive opening statements or closing arguments. It also contains "Trial Tips," practical suggestions for the courtroom not ordinarily found in other legal treatises or law books. Although primarily geared towards criminal law, many of the trial procedures and tactics discussed are equally applicable in civil trials. The handbook is also a great resource for law students or anyone interested in learning the fundamentals of a criminal jury trial.

A Civil Action - Jonathan Harr 2011-08-10

This true story of an epic courtroom showdown, where two of the nation's largest corporations were accused of causing the deaths of children from water contamination, was a #1 national bestseller and winner of the National Book Critics Circle Award. Described as "a page-turner filled with greed, duplicity, heartache, and bare-knuckle legal brinksmanship by The

New York Times, *A Civil Action* is the searing, compelling tale of a legal system gone awry—one in which greed and power fight an unending struggle against justice. Yet it is also the story of how one man can ultimately make a difference. Representing the bereaved parents, the unlikeliest of heroes emerges: a young, flamboyant Porsche-driving lawyer who hopes to win millions of dollars and ends up nearly losing everything, including his sanity. With an unstoppable narrative power reminiscent of Truman Capote's *In Cold Blood*, *A Civil Action* is an unforgettable reading experience that will leave the reader both shocked and enlightened. *A Civil Action* was made into a movie starring John Travolta and Robert Duvall.

North Carolina Civil Trial Practice - G. Nicholas Herman 2021

"It comprehensively covers the procedural and substantive law of the trial of all North Carolina civil cases and covers practice techniques for all stages of a trial from pre-trial procedure to mediation, jury selection to open statement, direct and cross examination to closing argument. It offers a detailed application of the North Carolina Rules of Evidence as they relate to making objections and offers of proof, conducting direct and cross examinations (including impeachment and rebuttal), introducing exhibits, and preserving their record for appeal."--Back cover.

Using Forensic DNA Evidence at Trial - Jane Moira Taupin 2018-09-03

Using Forensic DNA Evidence at Trial: A Case Study Approach covers the most common DNA analysis methods used in criminal trials today, including STR techniques, mitochondrial DNA, and Y-STRs. It presents some novel techniques—including familial testing and analyzing domestic animal hair—that have been recently introduced in unique cases, each of which is outlined in detail. It also illustrates special issues related to forensic DNA evidence by using court proceedings such as trials and appeals, commissions of inquiry, and government and laboratory reviews. With forensic DNA analysis becoming increasingly important at trial, the lively and sometimes bizarre cases presented in this book have been carefully chosen to highlight specific concepts, methods, and interpretations used in DNA analysis. Sections throughout examine the nature of expertise with a special focus on the role of subjectivity in the interpretation of forensic DNA evidence, emphasizing cognitive bias and extraneous context. Using both convictions and exonerations as examples, the book also discusses the strengths and limitations of DNA evidence and testing. The book is written in an accessible manner for the non-scientific reader, such that criminal lawyers, judges, and forensic experts will all understand the nature of analysis and application of DNA evidence in a variety of court cases. Extensive references—including notable trial proceedings, cross references of cases, and specific forensic statistics—round out the book and help to provide a complete understanding of forensic DNA analysis and its current usage in the courtroom.

North Carolina Civil Trial Practice - G. Nicholas Herman 2014-09-01

North Carolina Civil Trial Practice is North Carolina's only and leading practitioner treatise on civil trial practice and procedure (with application of the N.C. Rules of Evidence). There are a number of books for practitioners in North Carolina in various, distinct subjects (e.g. in torts, workers' compensation, real property law, family law, North Carolina corporations, North Carolina evidence, Employment Law and North Carolina Criminal Procedure). However, there is currently no civil trial practice book available in North Carolina; and this work fills that gap and is designed to be used by all civil trial lawyers in North Carolina, whether plaintiff or defense-oriented. *North Carolina Civil Trial Practice* comprehensively covers (1) the procedural, and (2) substantive law of, and (3) practice techniques for the trial of any North Carolina civil case -- from pre-trial procedure, mediation, and all stages of a trial (jury selection, open statement, direct and cross-examination, the jury charge conference, and closing argument). In addition, the book covers a detailed application of the North Carolina Rules of Evidence as they relate to the foregoing and to making objections and offers of proof, conducting direct and cross-examinations (including impeachment and rebuttal), introducing exhibits, and preserving the record for appeal. No current book in North Carolina addresses these matters. The book is thus distinct from any other North Carolina practitioner treatise, and is designed (1) as the definitive resource for civil practitioners preparing for any trial (bench trial or jury trial in any civil proceeding) and (2) for ready use in court when counsel needs to quickly find out how to introduce a particular matter or item of evidence at trial or otherwise how to deal with any other matter occurring at trial. In sum, *North Carolina Civil Trial Practice* is the standard "bible" for all civil trial practitioners.

Advocacy Excellence - Camille Abate 2020-02-14

Buy a new version of this textbook and receive access to the Connected

eBook with Study Center on CasebookConnect, including: lifetime access to the online ebook with highlight, annotation, and search capabilities; practice questions from your favorite study aids; an outline tool and other helpful resources. Connected eBooks provide what you need most to be successful in your law school classes. **Advocacy Excellence: The Jury Trial** teaches students the art and science of 21st century trial advocacy through the eyes of two seasoned, tenacious, and successful female trial attorneys who bring over 60 years of combined experience to the text. With a sharp and practical focus on how the digital age has changed trial practice, students will gain the ability to successfully advocate in today's smart courtrooms using electronically stored information, social media, and technology in all phases of trial. This text teaches classic courtroom skills with a modern and spirited tone, using examples from real trials and step-by-step practice guides along with insider tips about the strategy and execution techniques that wins trials. This clear, concise, and easy-to-understand text is organized into three distinct sections: Part I:Preparation — investigation, preliminary case analysis, developing a case theory, and merging the case theory into the actual trial Part II:Practice — techniques and advice that provide simple steps to successful jury selection, openings, direct and cross examination, impeachment, cross of special witnesses, and summation Part III:Strategy — navigating the courtroom, how to admit or oppose evidence at trial, objections, and the end game of jury deliberation. Learn the law, ethics, and strategy of trial advocacy with step-by-step instructions and useful chapter ending process guides and infographics to reinforce skills. Professors and students will benefit from: Question and answer examples in every chapter that teach how to ask strategic and purposeful questions during jury selection, depositions, pretrial hearings, direct examination, cross examination, impeachment,

and the admitting or opposing of evidence. Illustrations and charts that demonstrate how to create various proof matrices, timelines, witness statement charts, transcript keys, and how to structure opening, direct, and cross examination. Feature text boxes that highlight practice tips, ethical issues, and other “beware” concerns for trial and provide explanations of “why this works” for certain skills taught in a new and modern manner. In-depth coverage of the role of social media and emojis as evidence, plus how to authenticate social media and other electronic or digital evidence at trial. Reference sheets designed for students to copy for continued use in both an academic, experiential setting and the first years of practice as a new trial lawyer.

Trial Advocacy Basics - W. Dent Gitchel 2006

Mauet's Trial Notebook - Thomas A. Mauet 1998-01-01

When you go to trial, an efficient system of organizational management is crucial. Mauet's system is widely relied upon as the one that provides everything you need to prepare logically and efficiently for any kind of case. In the first trial notebook system to include computerized document forms, Mauet makes it easy to: Organize your testimony, exhibits, research -- everything you need to try your case -- Choose your own categories to assemble all necessary information -- Summarize the motions and filings you must make -- and when to make them -- Develop a trial strategy. You'll have proven, easy-to-use forms (both paper and electronic) for: Reviewing legal elements of claims and defenses -- Jury selection -- Exhibits -- Examination of witnesses -- Closing argument and opening statement. You'll also get the Federal Rules of Evidence, Civil Procedure, and Criminal Procedure -- plus Mauet's incomparable strategic advice.