

TRIAL PRACTICE

August 27, 2015

WHEN YOU REPORT
FOR JURY DUTY
FOR JUROR BADGE
JUROR
UNITED STATES DISTRICT COURT

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The Art of Questioning
Thirty Maxims of Cross Examination

Peter Megargee Brown

Originally published: New York: Macmillan Publishing Co., [1987] xxxiii, 122 pp.

Written for seasoned attorneys, novices and laymen, this classic essay reveals, step by step, how lawyers and non-lawyers can learn to ask the right question and get the answer they want. Useful


beyond his stated purpose, Brown shows how effective inquiry is a skill that can be learned to gain success in almost any line of endeavor.

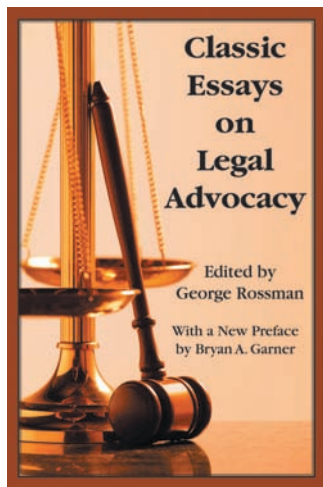
Peter Megargee Brown's delightful collection of tips on questioning for the litigating attorney should be almost as much fun for the layman. It is full of wit and wisdom and shrewd insights, and the chapters read like short plays.

LOUIS AUCHINCLOSS

Hardcover 2007 ISBN 978-1-58477-862-2
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ePUB Kindle 2014 ISBN 978-1-61619-501-4 
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Classic Essays on Legal Advocacy

George Rossman, Editor

Originally published: Indianapolis: Bobbs-Merrill Company, [1960] xiv [iii-iv new preface], 976 pp.

2010 reprint published in co-operation with Scribes - The American Society of Writers

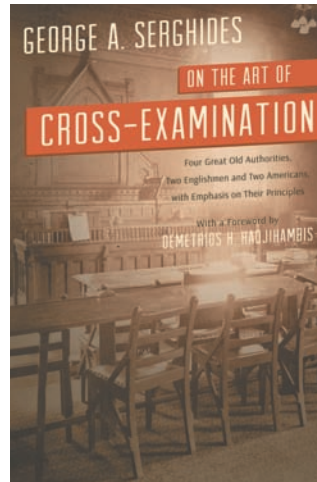
With a New Preface by
BRYAN A. GARNER

Reprint of the only edition of *Advocacy and the King's English: A Garland of Treatises*

on Advocacy and the Better Use of the English Language Selected by the Scribes, an Organization Composed of Lawyers Who Have Done Superior Legal Writing, with a new Preface by Bryan A. Garner.

A "Garland of Treatises" on legal writing, this anthology is organized by the following sections: Inspirational, Introduction, Trial Brief, Trial, Appellate Briefs and Oral Argument, Form, Contents, The Use of English, The Appellate Process and Judicial Opinions and The Ethics of Advocacy.

Hardcover 2010 ISBN 978-1-58477-997-1
\$49.95



On the Art of Cross-Examination
Four Great Old Authorities
Two Englishmen and Two
Americans with Emphasis on Their
Principles

George A. Serghides

Clark, NJ: The Lawbook Exchange, Ltd. x, 147 pp.

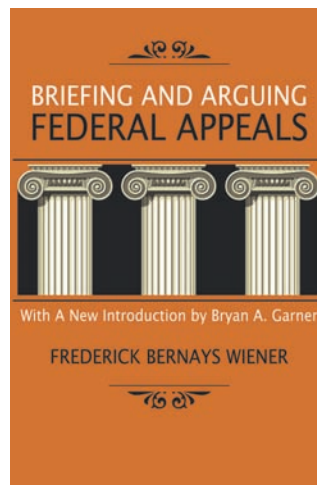
Serghides breaks down the writings of recognized English and American masters of trial advocacy Edward William Cox, William Ballantine, David Paul

Brown and Henry Hardwicke into principles that offer specific guidance on cross-examination techniques.

GEORGE A. SERGHIDES practiced law in Cyprus for some years and since 1990 has been a Judge and President of different family courts in Cyprus.

Paperback 2013 ISBN 978-1-61619-350-8
\$29.95

The Best Treatise on the Subject of Appellate Advocacy



Briefing and Arguing Federal Appeals

Frederick Bernays Wiener

Originally published: Washington, D.C.: BNA Incorporated, 1961 iii (new introduction), xvi, 506 pp.

With a New Introduction
by BRYAN A. GARNER

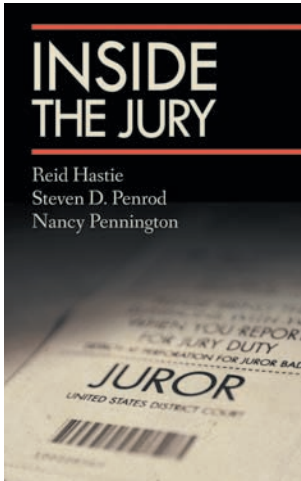
This book tells how to brief and how to argue a Federal case on appeal. Its primary purpose is to explain to the lawyer how to best persuade a Federal appellate court to decide a case

in his favor. It is neither a practice manual nor a text of Federal appellate procedure, being written on the assumption that all the procedural steps necessary to perfect the appeal have been or will be timely taken. Consequently this book deals with problems that are common to appeals in whatever Federal court they may be presented. Many of the principles defined and discussed herein are applicable also to the argument, oral and written, of questions of fact and law presented and heard in Federal trial courts.

AALS Law Books Recommended for Libraries List 26, Legal Profession, page 20, "A" Rated. "

Hardcover 2001, 2009 ISBN 978-1-58477-183-8
\$49.95

Selected Titles



Inside the Jury

*Reid Hastie, Steven D. Penrod
and Nancy Pennington*

Originally published: Cambridge: Harvard
University Press, 1983
viii, 277 pp.

A landmark jury study.
Contemporary Sociology

The book will stand as the third great
product of social research into jury
operations, ranking with Kalven and
Zeisel's *The American Jury* and Van Dyke's
Jury Selection Procedures.

American Bar Association Journal

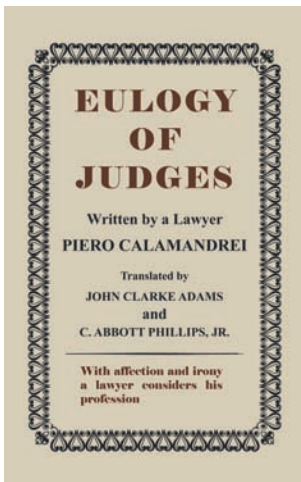
An important statistical study of the dynamics of jury selection and deliberation that offers a realistic jury simulation model, a statistical analysis of the personal characteristics of jurors and a general assessment of jury performance based on research findings by reputed scholars in the behavioral sciences.

REID HASTIE is a Professor of Behavioral Science on the faculty of the Chicago Booth Graduate School of Business and a member of the Center for Decision Research. He has published over 100 articles on topics including judgment and decision making, memory and cognition and social psychology. Hastie is widely recognized for his books on legal decision making. STEVEN D. PENROD is a Distinguished Professor of Psychology at the John Jay College of Criminal Justice, CUNY. He is the author of *Social Psychology* (1983). NANCY PENNINGTON, professor of psychology at the University of Colorado, Boulder, is acknowledged for her many publications which include *Causal Reasoning and Decision Making: The Case of Juror Decisions* (1981).

Hardcover 2002, 2013 ISBN 978-1-58477-269-9
\$65.

In 1936 Piero Calamandrei, an Italian lawyer and law professor, published *Elogio dei Giudici Scritto da un Avvocato*, a wry collection of maxims, anecdotes and observations on the nature of the legal process. Translated in 1946 as *Eulogy of Judges, Written by a Lawyer*, it gradually acquired a reputation among sophisticated legal circles as the best lawyer's book ever written.

Written by a self-described member of the "Piero Calamandrei Freemasonry Society," *Eulogy of Lawyers* revives the spirit of its great predecessor while shifting the focus to the other side of the bench.



Eulogy of Judges

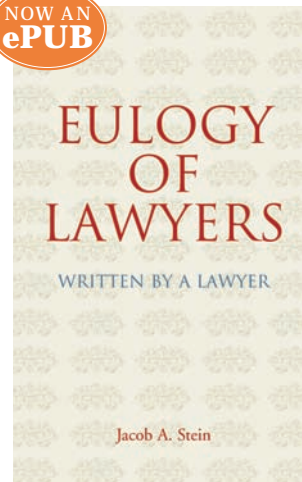
Written by a Lawyer

Piero Calamandrei

Translated by John Clarke Adams
and C. Abbott Phillips, Jr.

Originally published: Princeton
University Press, 1946
viii [iii-viii new preface], [viii],
88 pp.

Preface by JACOB A. STEIN



Eulogy of Lawyers


Written by a Lawyer

Jacob A. Stein

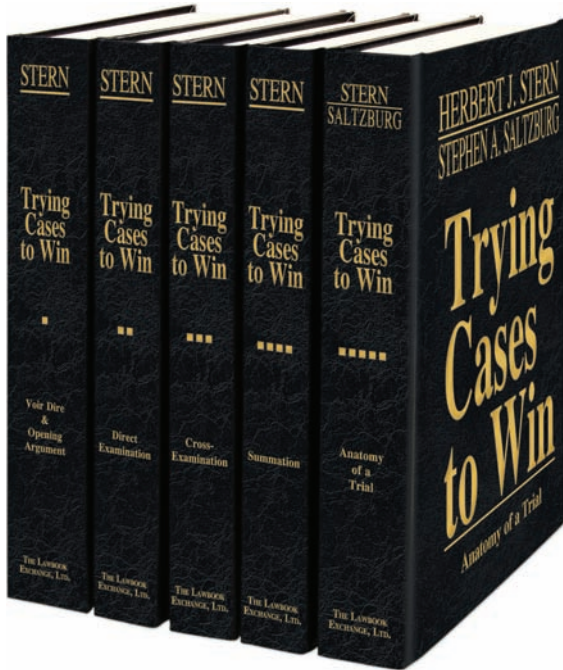
Clark: The Lawbook Exchange, Ltd.,
2010
xix[xi-xiii new introduction], 317 pp.

Preface by BRYAN A. GARNER

Hardcover 2006, 2011 ISBN 978-1-58477-760-1
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Paperback 2010 ISBN 978-1-58477-970-4
\$24.95
ePUB Kindle ISBN 978-1-61619-463-5 
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JACOB A. STEIN has, for over 60 years, conducted a trial practice. He has been an adjunct professor at American University Law School, George Washington University Law School, and Georgetown University Law School where he has taught for the last 21 years. He has been president of the District of Columbia Bar. He has served on various judicial committees connected with the Federal Judiciary. He was appointed in 1985 to serve as the United States Independent Counsel to inquire as to the suitability of the President's choice as Attorney General of the United States. His articles have appeared in *The American Scholar*, the *Times Literary Supplement*, *The Washington Post*, *The Wilson Quarterly*, the *Washington Lawyer*, *The Green Bag*, *Litigation* and other publications. His books include *Legal Spectator & More* (2003), *The Law of Law Firms* (1994), *Closing Argument: The Art and the Law* (1969) and other titles.



Trying Cases to Win

Herbert J. Stern

Originally published: New York: Aspen Publishers, 1991–1999
5 vols. xv, 685; xv, 457; xviii, 450; xviii, 448; xviii, 584 pp.

The trial process is the sum of its parts: opening argument, direct and cross examination, and summation. In *Trying Cases to Win*, nationally known trial lawyer Herbert J. Stern provides an overall blueprint for conduct in the courtroom as he guides the reader through each of these segments. Rather than a collection of anecdotal war stories from various trials, Stern outlines the nuts and bolts of the right-and-wrong-approach, processes and strategies for every component needed for trial success.

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ARTHUR J. GREENBAUM
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Each volume is also available separately.

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Herbert J. Stern

Originally published: New York: Aspen, 1995
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Stern describes how to prepare and deliver a successful summation that will provide the jury with the final points of the argument.

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Originally published: New York: Aspen, 1999
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\$175.

A partner and founding member in the New Jersey law firm of Stern & Kilcullen, **HERBERT J. STERN** is a former Federal Judge, having served as US district judge for the District of NJ from 1974-1987. He served as a trial attorney with the Organized Crime and Racketeering Section of the US Dept. of Justice and as US attorney for the District of NJ. Stern was founder and Co-Director of the Advocacy Institute at the Univ. of Va. School of Law from 1980 to the present. He was Special Counsel for Hon. Lawrence Walsh, Independent Counsel, Iran-Contra Prosecution, 1988.

Judge Stern was the subject of the book, *Tiger in the Court* (1973). He is the author of *Judgment in Berlin* (1984) which was made into a film with Martin Sheen as Judge Stern; and, most recently, *Diary of a DA* (2012).

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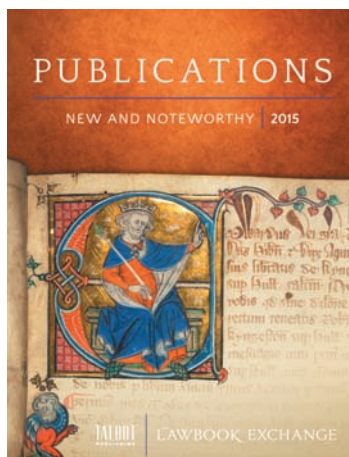
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