



FEDERAL TRIAL PRACTICE SEMINAR

THE HONORABLE CHRISTOPHER J. BURKE, CHAIR

Federal Trial Practice Seminar **2013 Seminar Description**

Purpose of the Seminar

The Federal Trial Practice Seminar (“Seminar”) is a program sponsored by the United States District Court for the District of Delaware and the District of Delaware Chapter of the Federal Bar Association. The Seminar is a multi-week instructional trial practice program, to be held in April and May 2013. It is designed for lawyers who have less than 10 years of practice experience but who have an interest in regularly litigating in the District Court.

The Seminar has two primary goals. First, it seeks to provide the participants with a venue in which they can practice federal trial skills and learn from experienced practitioners in order to hone those skills. Second, it offers an opportunity for the Court to educate the participants as to what is expected of those who practice in federal court in the District.

Application Process

In this third offering of the bi-annual Seminar, we anticipate accepting 8 attorneys to participate in the program. Six of these spots will be reserved for members of the Delaware Bar, while two spots will be open to both members of the Delaware Bar and to non-members of the Delaware Bar who regularly practice in Delaware’s District Court. Membership in the Federal Bar Association’s District of Delaware Chapter will be a positive consideration in the application process, but will not be a requirement for admission.

Applicants will be required to submit a letter of interest and a resume, by January 11, 2013. Applicants under consideration for admission will be expected to participate in an interview process prior to their acceptance into the Seminar. Applicants will be notified of their acceptance by February 26, 2013.

Content of the Seminar

The 8 Seminar participants will take part in instructional sessions once a week for seven consecutive weeks, beginning in April 2013 and ending in May 2013. It is anticipated that these sessions will be held on Tuesday evenings. Each session will be held in a courtroom (or courtrooms) at the U.S. Courthouse at 844 King Street in Wilmington. Sessions will begin at 5:00 p.m. and will end no later than 8:00 p.m. These seven Seminar sessions will cover topics including Opening Statements, Direct Examination, Cross Examination, Courtroom Presentation and Demeanor and Closing Statements.

Five of the seven Seminar sessions will be “speaker-driven” sessions. These will consist, first, of a presentation on the topic of the evening from an outside speaker who has frequently litigated in the District Court, or from one or more of our federal judges. The session will also include a “how to” component, in which a speaker will demonstrate an example or examples of how to effectively advocate in the courtroom regarding the given topic of the evening. Lastly, each of these speaker-driven sessions will include a discussion on the topic of the evening by a panel, which will be composed of the featured speaker, the judges present and each of our program mentors who are in attendance. Each of these speaker-driven sessions will have at least two hours of legal instruction.

Two of the seven Seminar sessions will be “practicum” sessions. In these sessions, the participants will engage in mock presentations to the program mentors relating to particular topics that have been the focus of a speaker-driven session. The participants will thereafter receive constructive criticism and feedback from the program mentors regarding their presentation. These practicum sessions will include at least two hours of legal instruction.

Lastly, after the seven weekly Seminar sessions are completed, the participants will participate in a day-long mock trial. In this mock trial, the participants will give opening statements, engage in direct and cross examination of witnesses and give closing statements, all before a real jury. For each of these sessions, the participants will use a set of prepared facts that they have been given in advance. After the mock trial is completed, a panel made up of the judges and program mentors in attendance will provide feedback on how the participants performed. This mock trial session will include at least five hours of legal instruction. The mock trial is tentatively scheduled to be held on May 31, 2013.

Other Benefits of the Seminar

As noted above, a group “program mentors” will be an important part of the Seminar. These Delaware-based practitioners are lawyers with significant experience practicing in Delaware’s District Court. The program mentors will be expected to attend all or nearly all of the Seminar sessions, and will offer feedback and advice to the participants during each session.

The Seminar also provides the participants with other opportunities to interact with the federal judges and program mentors. These interactions will include an opening ceremony, held before the

start of the Seminar, in which the judges and program mentors will discuss what they hope the participants will gain from the Seminar. In addition, there will be a closing ceremony, held after the completion of the Seminar, in which participants will receive a diploma commemorating their completion of the Seminar. Participants are asked to invite a senior lawyer to this event who has served as a mentor in their career.

The Seminar will also provide opportunities to interact with alumni of the Seminar. These alumni can provide the participants with their unique perspective on how to take the skills learned in the Seminar and develop them in practice.

Participants in the Seminar will also receive CLE credit for each of the seminar sessions. We expect that participants will receive up to 19.0 hours of CLE credit, including 1.0 hours of Ethics credit, from the Delaware Bar due to their participation in the Seminar. There is no cost to participate in the Seminar.