

# Preparation of a Powerful Trial Notebook

Practical Tips for Creating an Indispensable Trial Tool

Columbia, South Carolina  
March 26, 2009

Basic-to-Intermediate Level Seminar

**CREDIT: NALA - 6.0 | NFPA - 6.0, 1.0 ethics**



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# Who Will Teach You

**BARBARA BELCHER** is the supervising paralegal for the Maguire Law Firm and the litigation paralegal to Ian Maguire. In addition to her paralegal duties, Ms. Belcher is the system administrator for the firm's local area network (LAN), as well as their case management software. During her tenure with the Maguire Law Firm, Ms. Belcher has prepared medical chronologies, mediation/trial presentations in keynote/powerpoint, and assembled multiple trial notebooks for the firm's personal injury cases. She graduated, summa cum laude, with an associate's degree focusing in paralegal studies from Horry Georgetown Technical College. She is a paralegal affiliate with the American Association for Justice, the South Carolina Association for Justice, and was First and Second Year Paralegal Student of the Year in 2002 and 2003.

**TRACY Y. CLECKLEY** is a paralegal working primarily in civil litigation with Fisher & Phillips, LLP, an employment defense firm where she assists attorneys with cases in state and federal courts, the National Labor Relations Board, and state and federal administrative agencies. Her practice areas are employment litigation, union avoidance, union campaigns, discrimination cases and wrongful discharge cases. During her career, she has also worked as a paralegal in the practice areas of catastrophic automobile and products liability litigation, medical malpractice, nursing home negligence, personal injury, workers' compensation, Social Security disability, family law, and criminal law. Ms. Cleckley is currently a member of the Palmetto Paralegal Association and the National Federation of Paralegal Associations. She earned her associate's degree in paralegal studies from Florence-Darlington Technical College in 1994, her B.S. degree in business administration from Southern Wesleyan University in 2003, and is currently pursuing her master's degree.

**SUSAN WATSON** is a paralegal and office manager for Margaret D. Fabri, Attorney at Law, where she specializes in complex domestic litigation and plaintiff's employment law. She has extensive experience in computerized litigation support systems and corporate litigation. Ms. Watson handles all aspects of the case from initial client contact to trial work and appeals. She earned her paralegal certificate from Trident Technical College and has worked in the legal field for more than 20 years. Ms. Watson has been a guest lecturer on computerized litigation support for Trident Technical College.

## Why You Need to Attend

Managing the vast amount of information needed for trial is a challenging undertaking. Creation of an effective trial notebook can be the key to helping your attorney present the client's case in an organized and understandable fashion. While many of the elements that go into each case are similar, every attorney has his or her own unique way of preparing for a trial. Learn how to tailor the trial notebook to meet your individual attorney's needs while creating a trial tool that will improve team productivity. Our panel of experienced faculty members will help you to take the next step toward maximizing your legal team's effectiveness.

Learn how the legal team can become most effective by:

- Formatting the trial notebook to the particular case at hand.
- Creating key sections that will be regularly referenced during trial.
- Avoiding duplication by cross-referencing key documents within the trial notebook.
- Working with the attorney to anticipate relevant court-related information.
- Building in flexibility in anticipation of changing needs.
- Organizing relevant legal research that may be needed to support case theory.
- Developing additional notebooks that offer further supporting documentation.

# What You Will Learn

## **ETHICAL QUESTIONS - THE PRACTICAL DO'S AND DON'TS**

9:00 - 10:00, *Tracy Y. Cleckley*

- A. Avoiding Situations That May Expose You to UPL
- B. Requirements for Attorney Supervision
- C. Evaluating Conflicts of Interest
- D. Managing Issues of Privilege

## **THE HOWS AND WHYS OF PREPARING A TRIAL NOTEBOOK**

10:15 - 11:15, *Tracy Y. Cleckley*

- A. What is a Trial Notebook and What Does it Do?
- B. Formatting the Trial Notebook to the Case at Hand
- C. When to Start Preparing It
- D. Advantages and Disadvantages of a Litigation vs. Chronological Notebook

## **EFFICIENT ORGANIZATION TECHNIQUES**

11:15 - 12:15, *Barbara Belcher*

- A. Key Sections and Their Development
- B. Color Coding
- C. How to Cross-Reference Within the Trial Notebook
- D. What Should Not be Included
- E. Building in Flexibility
- F. Effective Management of Electronic Evidence
- G. Automated Organizational Tools - Computerized Trial Notebooks
- H. Being Ready to "Troubleshoot" From the Courtroom

## **TRIAL RELATED DOCUMENTS**

1:15 - 2:15, *Barbara Belcher*

- A. General Contact Lists and Court-Related Information
- B. Opening Statements
- C. Jury Information and Analysis
- D. Trial Memoranda
- E. Arguments Raised by the Other Side
- F. Closing Arguments and Post-Trial Matters
- G. Other Ways to Assist Your Attorney Throughout the Trial Process

## **KEY LEGAL ELEMENTS**

2:30 - 3:30, *Susan Watson*

- A. Summary Analysis/Theory of Case
- B. Pleadings and Motions
- C. Legal Research – Case Citations and Other Legal Authorities
- D. Depositions and Discovery
- E. Establishing Proof

## **SUPPORTING DOCUMENTATION**

3:30 - 4:30, *Susan Watson*

- A. Witnesses, Experts and Related Information
- B. Exhibits and Evidence
- C. Additional Notebooks
  1. Motions in Limine Notebook
  2. Research Notebooks
  3. Deposition Notebooks
- D. Miscellaneous

\* If needed, the above agenda may be changed to best accommodate all our attendees.

## Who'll Be There

This **basic-to-intermediate level program** explores how trial notebooks can streamline the trial process and create a more efficient and effective trial team. Those who should attend include:

- Paralegals
- Legal Assistants
- Legal Support Staff

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# Important Details

**March 26 — Columbia — Embassy Suites Hotel**

**200 Stoneridge Drive, Columbia SC 29210 — 803-252-8700**

## Time

Registration — 8:30 - 9:00 am

Program — 9:00 am - 4:30 pm

Complimentary snacks and refreshments are provided – Lunch is on your own.

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## Tuition

\$269 for the first registrant, \$259 for each additional registrant.

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# PREPARATION OF A POWERFUL TRIAL NOTEBOOK

**March 26**  
Columbia, SC

Seminar Number: 48263ER

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