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# Powerful Witness Preparation

**Tuesday, April 14, 2015**

**Live in-person**

**9:00 am – 4:00 pm (Eastern)**

University of Toronto

Chestnut Conference Centre

89 Chestnut Street • Toronto, ON

**Live webcast on your computer**

**with free 30 day replay\***

6:00 am – 1:00 pm (Pacific)

7:00 am – 2:00 pm (Mountain)

8:00 am – 3:00 pm (Central)

9:00 am – 4:00 pm (Eastern)

10:00 am – 5:00 pm (Atlantic)

*This webcast allows for live interaction between attendees and the presenter, including the ability to ask questions by web chat, and receive live answers by video. SK attendees please verify whether you align with Central (MB) or Mountain (AB) time based on season and location.*

## Who Should Attend

This program is designed for all lawyers who want to improve their witness preparation skills.

## About the Program

The next time you think that preparing witnesses is intuitive, or the next time you think that all a fact witness has to do is to tell their story, walk up to some strangers and ask them to spell their names – ask them to describe something that happened months ago! Testimony is far removed from a conversation. It is a precise and unnatural process that requires meticulous preparation – a skill that can be taught, but not one that you've encountered in a formal setting. Even if you've represented hundreds of witnesses, you can improve your abilities and efficiency as an advocate, increase your winning percentage, and drastically reduce the stress of not knowing which way a witness might take you, or which way that witness might be led astray! Invest one day with experienced trial lawyer Dan Small, and discover new tips, tactics, and techniques to help make you a more effective advocate.

## Program Agenda (Eastern)\*

9:00 *Welcome and introduction*

**9:05 – 12:15**

**I. Bridging the Gaps** – Perception, Conversation and Audience Gaps

**II. Understanding the Need** – Treacherous, Unnatural, and Deceptive Environments

**III. Understanding the Audience** – Humanizing the Witness, Simplifying the Language and the Message

**IV. Understanding the Challenge** – Three Mistakes Witnesses Make, Seven Mistakes Lawyers Make

**V. The Process** – Preparation and Key Goals

**VI. The Rules** – Basic Principles, Framing the Message, the 10 Rules, and Making an Impact

*12:15 – 1:00 Lunch (included)*

**1:00 – 4:00**

**VII. Adapting to the Situation** – Interview v. Testimony, Discovery v. Trial, Chief v. Cross

**VIII. Expert Witness** – Role and Independence, Relationship and Communications

**IX. Ethical Challenges: Preparation Does Not Mean Coaching!** – Extremes and Reality, Perjury,

Conventional Wisdom and the New Order

**X. Core Themes/Home Bases**

**XI. Understanding the Keys**

4:00 *Wrap up and program evaluation*

*\*Includes two 15 minute breaks*

## Here's what past attendees have said about Dan Small and this program:

- "Perhaps the best speaker I've ever heard."
- "One of the most practical programs I've ever attended – sharp, to the point and immediately useful."
- "So organized. Enjoyed his use of PowerPoint, anecdotes, video clips and the fact that he offered his tips in numbered lists and bullet points."
- "Tremendous. I've been trying cases for 20 years and I learned a lot about witness prep which I will use in my next trial, next month."
- "Well-planned, entertaining, and with a variety of examples."
- "This program is essential for anyone who has to interview or examine witnesses in any legal proceeding."

## About the Presenter



**Daniel I. Small** has built a brilliant career on his ability to prepare witnesses to be compelling advocates for his client. As a federal prosecutor, general counsel, and as a partner at Holland & Knight, Small has used the same process that he will teach to you to introduce the

witness to the foreign land of the discovery, hearing, or courtroom and to prepare them to tell the story in a way that connects to jury or judge and produces winning results. A former Lecturer on Law at Harvard and a frequent media commentator, Dan is also author of *Preparing Witnesses: A Practical Guide for Lawyers and Their Clients*, (3rd Edition, ABA). The breadth of his experience is reflected in the practical advice he offers in this acclaimed CPD program.



**ON:** This program is eligible for up to 6.0 CPD hours, including 3.0 Professionalism hours

**BC:** This program is approved for 6.0 CPD hours, including up to 3.0 hours of professional responsibility and ethics, client care and relations, and/or practice management

**NB:** CPD applications are pending

**SK:** This program has been approved for 3.0 CPD hours  
Lawyers in other mandatory CPD jurisdictions may count their actual attendance at this program towards their CPD requirement/plan.

Seminar Partners is an Accredited Provider of Professionalism Content by the Law Society of Upper Canada, and a pre-approved CPD Provider of the Law Society of British Columbia.

### √ Yes, I want to attend *Powerful Witness Preparation*

**Choose your learning format:**     **Live in-person**    **OR**     **Live webcast with replay\***

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\* Materials will be distributed electronically in advance. Live webcast includes free video replay for up to 30 days after the program. Replay link will be made available 2 to 3 working days after the program. Webcasts cannot replicate the quality or rich interaction of in-person attendance.

### **REGISTRATION FEE (with ON HST\*):**

**On or before March 5, 2015: \$425.00 + \$55.25 (13%) HST\* = \$480.25 – Save \$50.00!**

**After March 5, 2015: \$475.00 + \$61.75 (13%) HST\* = \$536.75**

\*If paying by cheque, adjust tax for attendee's province as follows: 5% in AB, BC, MB, NWT, NU, SK, YK. 13% in NB, NL, ON. 14% in PEI. 15% in NS.

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