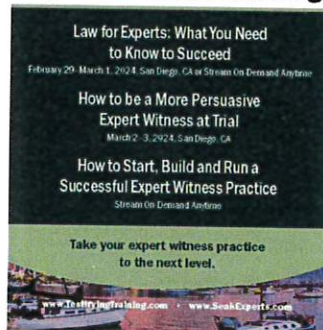


How to be a More Persuasive Expert Witness at Trial March 2-3, 2024, San Diego, CA

\$1,495.00



Expert Witness Training



ADD TO CART

Quantity:

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Description

How to Be a More Persuasive Expert Witness at Trial is SEAK's most intensive and in-depth trial skills training program. It is designed to help expert witnesses improve their direct and cross examination performance at trial. *How to Be a More Persuasive Expert Witness at Trial* is fast moving and content rich. This is a hands-on interactive training program taught using five methodologies: lecture, video clips of experts testifying in real cases, interactive exercises, in-class mock trial demonstrations (based on presubmitted attendee CVs and reports), and questions and answers. **All attendees will have the opportunity to practice their direct and cross-examination skills and to receive feedback from the faculty.**

Registration/Tuition/Discounts: Tuition is \$1,395 on or before January 5, 2024, \$1,495 January 6, 2024 – February 6, 2024; and \$1,595 after February 6, 2024. Your tuition includes continental breakfast and lunch with faculty each day and a detailed conference manual. Group discounts are available for two or more persons registering together from the same employer. Discount prices depend on the size of the group. Our programs can also be brought onsite to your



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Location/Hotel Accommodations: A limited block of rooms will be available at special rates at the site hotel, The Hilton San Diego Harbor Island (www.sandiegoairport.hilton.com) (\$209/night). To make your reservations please call 1-800-445-8667 and mention that you are with SEAK, Inc. or click [here](#) to book online. Rooms are limited and this rate expires February 6, 2024 so you are strongly encouraged to make your reservations as soon as possible. The Hilton San Diego Harbor Island is located near the airport and is situated on San Diego Bay. Guest rooms enjoy scenic views of the marina, Bay and downtown San Diego skyline. The Hilton San Diego Harbor Island features ideal proximity to the city's most popular attractions including the Midway, Gaslamp Quarter, Sea World, and the Zoo. The hotel is within walking distance of fine dining options and features free airport shuttle, heated pool, free wifi, and a 24 hour gym.

Cancellations: Conference cancellations received in writing on or before February 6, 2024 will receive a full refund. Conference cancellations received after February 6, 2024 will receive a full tuition credit.

Continuing Education Credits: Note: If your specialty does not appear below and you desire credits, please contact Karen Cerbarano (781-826-4974 or Karen@seak.com). We can often obtain desired credits upon request, but unfortunately, obtaining some types of credits are not feasible. Please register early, as we can only apply for credits after your registration form has been received and it can take time to get the requested approvals back from the accrediting agencies. **Accident Reconstructionists:** SEAK will apply for credits through ACTAR upon written request at the time of registration. **Accountants:** State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. SEAK will provide each attendee with a certificate of attendance. **Appraisers:** Credits from The American Society of Appraisers will be applied for on written request at the time of registration. **Attorneys:** Credit varies by state. Continuing legal education credits for attorneys will be applied for if requested in writing at the time of registration. **Chiropractors:** Credits are unfortunately not available. **Engineers:** 14 PDHs. The acceptance of this course is dependent upon your state(s) of registration. The vast majority of states do not require preapproval of either courses or course sponsors. **Life Care Planners:** SEAK will apply for credits through The Commission on Health Care Certification (CHCC) upon written request at the time of registration. **Physicians:** SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of 14 AMA PRA Category 1 Credit(s)[™]. Physicians should claim only the credit commensurate with the extent of their participation in the activity. **NOTE: SEAK does not accept commercial support for its programs and does not use faculty members with conflicts of interest.**

Faculty:



Nadine Nasser Donovan, Esq., is SEAK's Lead Onsite Trainer. She has trained countless experts via SEAK's scheduled courses, customized on-site expert witness training programs, and one-on-one consulting. Nadine previously practiced litigation for 21 years. She spent 18 years in the defense of medical professionals in medical malpractice actions and before medical licensing boards. Nadine started off her legal career in New York City, first as a prosecutor in Queens, and then as counsel for the City of New York. Nadine received her J.D. *cum laude* from Boston College Law School. She graduated from Fordham University *summa cum laude* with a B.A. in French

Literature. She can be contacted at 617-791-4282 or nadine@seak.com.



Kelly J. Wilbur, Esq., is an expert witness trainer and consultant for SEAK, Inc. She has assisted and taught numerous expert witnesses through SEAK seminars and one-on-one training. She was an insurance defense and commercial litigator for five years where she regularly worked with and against expert witnesses in wrongful death, personal injury, premises liability, construction defect and patent cases. Kelly received her J.D., *cum laude*, from the University of Massachusetts School of Law and graduated from St. Mary's College of Maryland with a B.A. in Political Science. She may be contacted at 781-491-6802 or kelly@seak.com.

PART I: DIRECT EXAMINATION TECHNIQUES & STRATEGIES**7:30–8:00 AM REGISTRATION AND CONTINENTAL BREAKFAST WITH FACULTY****8:00–10:00 AM Direct Examination – How to Excel**

Attendees will learn techniques for delivering more powerful and persuasive direct testimony including conclusions first, using memorable soundbites, acting like a great teacher, proper body language, confident tone and pace, maintaining a smooth balance with retaining counsel, being yourself, self editing — what they need to know, not everything you know, using powerful and memorable language and analogies, numbered lists, using easy to understand language, emphasizing key points and many others. **Questions & Answers**

10:00–10:15 AM BREAK AND NETWORKING OPPORTUNITY**Part II: DIRECT EXAMINATION AREAS OF INQUIRY****10:15–11:15 AM Introducing Yourself to the Jury: Developing a Bond and Establishing Your Qualifications**

In order to establish yourself as an expert and give an opinion under FRE 702 you must lay the foundation of your qualifications based upon your knowledge, skills, experience, training, and/or education (admissibility). Beyond being allowed to testify, establishing your qualifications/background properly will make you more credible and persuasive to the fact finder (weight). In this segment, attendees will learn specific techniques regarding testifying as to your background and qualifications, such as name dropping, less is more, showing what you have in common with the jury and many others. Through a series of hands-on written and testifying exercises, attendees will learn and practice how to better present their own unique qualifications. **Questions & Answers**

11:15 AM–12:00 PM Explaining Your Opinion's Foundation: What You Did, How You Did It and Why You Did It

Per FRE 702, each of your opinions must be based on sufficient facts or data; your opinion must be the product of reliable principles and methods; and you need to reliably apply those principles and methods to the facts of the case. In the section, we will focus on your investigation and methodology. You will learn multiple techniques for better articulating what you did, how you did it, and why you did it. Through a series of hands-on written and testifying exercises, attendees will learn and practice how to better testify to their methodology. **Questions & Answers**

12:00–12:45 PM LUNCH PROVIDED WITH FACULTY**12:45–1:30 PM BOTB: Bringing Out the Bad: How to Manage Problem Areas and Weaknesses During Your Direct Examination**

The most effective way to deal with potential problem areas and likely areas of attack are to bring these issues out on direct, characterize them in a favorable fashion and place them in the proper context for the jury. Such problem areas could include fees, expert witness income, qualifications issues, missing information, past cases, and myriad other potential problems. Through a series of hands-on exercises, attendees will learn and practice how to better bring out the bad on direct examination. **Questions & Answers**

1:30–2:30 PM Your Opinions: Expressing in a Confident, Understandable and Persuasive Manner

As an expert witness, your reason for testifying is to help the trier of fact by providing opinions. In this section, attendees will learn techniques for presenting persuasive opinions including the goldilocks level of confidence, not going too far, numbered reasons, citing literature, relating to the experience of the jurors and others. Through a series of hands-on testifying exercises, attendees will practice how to express more persuasive opinions. **Questions & Answers**

2:30–2:45 PM Visual Aids: Designing and Using Effective Demonstratives

A picture says a thousand words. In fact, jury research shows that demonstrative evidence can make expert witness



examples of effective demonstratives and advice on choosing, developing, and using effective visual aids. **Questions & Answers**

2:45–3:00 PM BREAK AND NETWORKING OPPORTUNITY

3:00–3:45 PM Rebuttals: Commenting on the Opposing Expert and His/Her Opinions

As an expert witness, you may be called upon to comment on the opinion(s) of an opposing expert. In this segment, attendees will learn specific techniques to effectively and respectfully critique an opposing expert by challenging investigation, methodology, literature, assumptions, and ultimately the expert's conclusions. Attendees will participate in interactive exercises where they practice commenting on the opposing expert and that expert's opinions. **Questions & Answers**

PART III: DIRECT EXAMINATION PREPARATION & PRACTICE

3:45–4:00 PM Preparing for Your Direct Examination

Being a more persuasive expert on direct examination is a function of hard work. Simply put, the harder you prepare, the more persuasive you will be. In this section, attendees will learn an effective methodology for preparing to testify on direct examination. **Questions & Answers**

4:00–5:00 PM In Depth Direct Examination Demonstrations and Practice Questions

In this segment and as time permits, we will practice the techniques learned earlier in the day with mock direct examination trial demonstrations. These mock trial exercises will be based on reports and fact patterns presubmitted by volunteer attendees. **Questions & Answers**

DAY TWO: Sunday, March 3, 2024

PART IV: CROSS-EXAMINATION TECHNIQUES & STRATEGIES

6:30–7:00 CONTINENTAL BREAKFAST WITH FACULTY

7:00–8:00 Cross-Examination – How to Excel

Attendees will learn techniques for delivering more effective cross-examination testimony including making concessions, disagreeing without being disagreeable, active listening, dealing with setup questions, dealing with mischaracterizations, avoiding the numbers game, maintaining a consistent demeanor, not being defensive, not letting counsel cut you off, staying in your sandbox, dealing with impeachment and many others. **Questions & Answers**

Part V: CROSS-EXAMINATION AREAS OF INQUIRY

8:00–9:00 AM Qualifications

A likely area of attack during cross-examination is one's qualifications. This could include questions about any misleading information on your CV, "awards," multiple claimed areas of expertise, missing credentials/experience, past mistakes, knowledge of the relevant literature, professional failures, relevancy of experience, recency of experience, age, and many others. Through a series of hands-on exercises, attendees will learn and practice how to defend their qualifications during cross-examination. **Questions & Answers**

9:00–9:15 AM BREAK AND NETWORKING OPPORTUNITY

9:15–10:00 AM Bias, Fees, Marketing, Honesty, and Money

A common way to challenge an expert witness during cross-examination is to try to portray the expert as being biased. There are many common ways to do this including giving the same opinion in multiple cases, fees, forensic income, marketing activity/language, out of court statements, ethical violations, skeletons in your closet, your web site, working

10:00–10:30 AM Independence/Relationship with Counsel

A highly effective way to undermine an expert witness is to try to establish that the expert is just a mouthpiece of retaining counsel. Avenues to effectuate this could be counsel as the sole or primary source of information or assumptions, communications with the lawyer, ongoing and previous work for the lawyer, and preparation sessions. Through a series of hands-on exercises, attendees will learn and practice how to deal with lack of independence from counsel attacks during cross-examination. **Questions & Answers**

10:30–11:00AM Impeachment with Prior Statements, Testimony, Writings, and Learned Treatises

A classic way to challenge an expert witness is by confronting that expert with their own past statements, testimony, writings or learned treatises (journal articles, texts, etc.). The idea behind impeachment with prior statements is that the expert was either lying then or is lying now, either way the expert is a liar. In terms of learned treatises, it is that the expert disagrees with "the book" on the topic. Through a series of hands-on exercises, attendees will learn and practice how to deal with impeachment and learned treatise attacks during cross-examination. **Questions & Answers**

11:00–11:15 AM BREAK AND NETWORKING OPPORTUNITY**11:15 AM–12:00 PM Investigation/Methodology, and Opinions**

Your expert opinion is only as strong as the investigation and methodology upon which it is based. Issues that can be pressed in this regard during cross include your assumptions, what you failed to do, information you didn't have, reliability of information you did have, calculations and formulas, time lapses, reliance on other experts, error rate, ruling out alternatives and other *Daubert* factors. Through a series of hands-on exercises, attendees will learn and practice how to deal with challenges to their investigation, methodology and opinions during cross-examination. **Questions & Answers**

12:00–12:45 PM LUNCH PROVIDED WITH FACULTY**PART VI: CROSS-EXAMINATION PREPARATION & PRACTICE****12:45–1:00 PM Preparing for Your Cross-Examination**

Being a more persuasive expert on cross-examination is more dependent on perspiration than inspiration. In this section, attendees will learn a time tested protocol and methodology for preparing to testify on cross-examination. **Questions & Answers**

1:00–2:30 PM In Depth Cross-Examination/Trial Demonstrations and Practice Questions

In this segment and as time permits, we will practice the techniques learned earlier in the seminar with longer mock cross-examination demonstrations. These mock trial exercises will be based on reports and CVs presubmitted by volunteer attendees. Attendees will also have the opportunity to practice responses to trick and difficult cross-examination questions. **Questions & Answers**

What past attendees had to say:

"Thank you both for the excellent training. I thoroughly enjoyed the course and did, indeed, find it useful. In addition to learning important skills for testifying, the training has caused me to reflect more deeply on expert witness work and the question of whether to take more cases or not. I devote quite a bit of time to each case; however, after attending your training, I realize that an even greater devotion of time is needed to truly become a persuasive expert!"

"Nadine and Jim, Thank you. As usual, an excellent course with so much learnt."

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"This is my second time taking this course. Although the curriculum was essentially the same, many of the examples were new. The first time I took this course was absolutely food for thought, and it laid a great foundation for me to really focus on the individual points in the curriculum. I definitely recommend taking this course twice at a minimum."

"Very Good. Always Love Nadine's vibrant teaching/communicating style. Jimmy portrays the toughest attorney most of us will ever encounter, which is just what everyone needs."

"Very informative"

"Advice on what to include in my retention agreement, advice on how to testify in direct vs. cross examination. It was extremely helpful, and I did not understand the differences before this conference."

"Excellent teaching by Jim and Nadine."

"It was all interesting. It was useful to see testifying strategies and recommendations put into practice during the course with the experts in the room."

"The most useful thing was submitting my report and CV ahead of time so that I could practice on a real life case."

"Using real world examples that the attendees submitted provided a great variety of examples to learn from and observe."

"Keep doing what you are doing. I am a professional instructor and tend to more critical of instructors I observe. Jim and Nadine obviously are highly experienced and have honed their delivery to as close to perfection as I have seen."

"Nadine and Jim were both excellent presenters who shared useful, informative, thought-provoking content. There wasn't a dull moment during the entire two-day course!"

"Nadine is wonderful; down to earth, personable, so interesting, yet very professional. Jimmy is great at preparing experts for the toughest cross examination and other pitfalls they will likely see."

"The active effort to involve attendees and make it interactive and participatory was excellent. By all means, keep that up. Also, the videos were invaluable."

"As painful as it was to be cross examined, it certainly helps to develop armor to be unemotional during testimony. Helpful to become a better witness."

"Excellent. One of the best courses I've taken in 27 years of practice."

"The course is extremely valuable for potential EWs, first to give them an idea of what the whole legal arena is really like (and what they need to do) and second to guide them to making their entire approach to the area more effective."

"I have learned so much and have so many notes. The course is worth the money spent, that's for sure."

"I now understand how trial testimony works. I will be listening more intently to the attorney questions, and my answers will be more concise and less technical so that everyone in the courtroom can learn."

"The course was outstanding and everything I had hoped it would be! Certainly worth every penny. The changes that I will implement from what I learned will result in increased income that will be many times more than what I spent to take the course."

"Loved watching the videos, learning the techniques."

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"Best and most professional presentation I have attended in years."

"The presenters were absolutely top notch. No room for improvement. Clear & concise instruction."

"The presenters were excellent. There was a nice flow back and forth between presenters and they each have their own unique style, which is important."

"The training was excellent and worth my time and money."

"Just finished my cross in my [location] trial. The course was unbelievably helpful in surviving the cross...my lawyers were very happy."

"Amazing as always."

"Another excellent course. Thank you."

"Helpful, practical and useful."

"Both speakers did a great job presenting with their experience and knowledge base. Their stories were on-point and valued."

"Thank you for your time, humor, and ability to convey the information in a practical and useful way."

"This was the only course I have taken that I did not experience a lull in my attention at some point during the days. It kept my focus throughout."

"[The] back and forth between students and instructors was useful/interesting."

"Excellent course! It was definitely an eye opener for me!"

"Excellent! It made me a more confident Expert."

"The course was outstanding. As an expert witness in my first year, I learned a significant amount of tools and techniques to become a more effective expert witness."

"Knowledgeable presenters, comfortable with the topic, and engaging."

"Hard hitting and targeted."

"Very helpful in understanding the role of the expert and different parts of the play which seems to be divided into 2-3 scenes once you are drawn into the court room."

"Good stuff: lots of good information."

"I learned what was behind some of the lawyer's questions that I am asked during testimony; I now have a better understanding of the lawyer's strategies."

"Amazing."

"Awesome."



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"Very informative, educational."

"Very interactive!"

"Very well done!"

"Great workshop!"

"It was very informative & interesting."

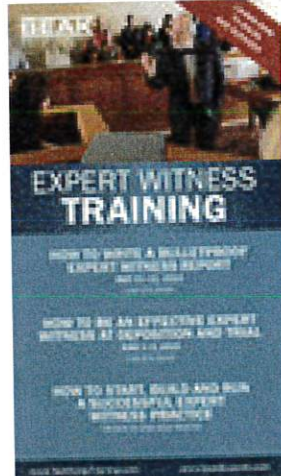
"Thank you again! Your expertise and experiences provided invaluable insight and ideas. Worth every penny!"

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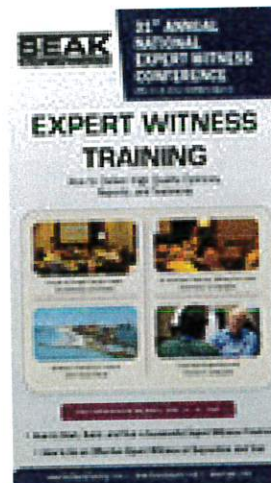
Law for Experts: What You Need to Know to Succeed, February 29-March 1, 2024, San Diego, CA

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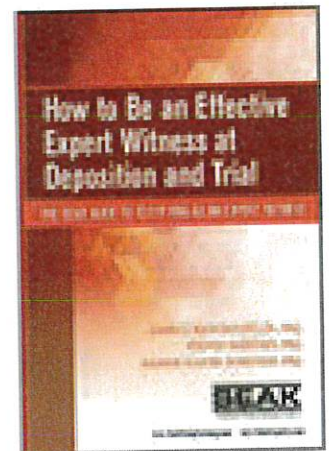
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How to Be an Effective Expert Witness at Deposition and Trial, April 25-26, 2024, Clearwater Beach, FL

\$1,395.00



How to Be an Effective Expert Witness at Deposition and Trial: The SEAK Guide to Testifying as an Expert Witness

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