

## 2022 EDTX Bench/Bar Conference

### “Talk Slowly, Think Quickly: Lessons on Trial Presentation”

#### Panelists:

- Judge Jimmie Reyna
- Judge Ron Clark
- Magistrate Judge Christine Stetson

#### Moderated by:

- [Betty Chen](#) and [Ben Elacqua](#), Fish & Richardson

#### Background

1. Judge Reyna, I understand you started doing trials before you even got out of law school. Can you tell us about that and how that impacted the methods and techniques you used in the rest of your career?
2. Judge Clark, I understand that in your first 18 months out of law school, you tried 130 misdemeanor cases and 33 of those were to a jury. What impact did that have on how you presented cases?
3. Judge Stetson, in addition to a substantial trial and appellate practice, you’ve had the experience of being the arbitrator in 60-70 cases. What influence did that have on your trial style?

#### Voir Dire

4. Judge Reyna, have you observed jurors with different backgrounds (New Mexico versus Texas versus Washington D.C.) and did that require a change to your presentation style?

#### Innovative Trial Tactics

5. [\[\[Judge Stetson\]\]](#)
6. [\[\[Judge Reyna\]\]](#)
7. Judge Clark, I understand that you took every opportunity—when you were defending clients—of counter-suing – including even widows and seriously injured plaintiffs. How did that work and why did you take that approach?

#### Trial Styles

8. Judge Stetson, is there any trial strategy that you tried and didn’t work?
9. Judge Reyna, lawyers seem to have strong feelings about analogies. They love them or hate them. What do you think about them?
10. Judge Clark, what mistakes have you seen plaintiffs make, even though they have the benefit of primacy?
11. Judge Reyna, how did you deal with an aggressive or obnoxious witness in such a way as not to irritate jurors?
12. Judge Stetson, as a female lawyer, do you think you had to adopt a different style than a man might use when you had to get aggressive with a female or very sympathetic witness? What are the dangers?
13. Judge Clark, what was your style when you had to get aggressive with a female or very sympathetic witness? What are the dangers?

**Appellate Styles**

14. Judge Reyna, as a trial lawyer and now an appellate judge how do you think trial presentation to a jury should differ from appellate argument?
15. Judge Stetson, you had notable success upholding verdicts on appeal, what difference in style or presentation should a lawyer consider?
16. Judge Clark you were Board certified in Civil Trial Law and Civil Appellate law. What advice would you have for attorneys on presentation?

**If we have time**

1. Tell us your favorite TV lawyer and why...