



DISCOVERY TOOLBOX FOR THE FAMILY LAW LITIGATOR

6.0 CLE HOURS

FEBRUARY 21, 2019

LIVE SEMINAR LOCATION
NC Advocates for Justice
Headquarters
1312 Annapolis Drive, Raleigh



800.688.1413 or
919.832.1413

SPONSORED BY THE NCAJ FAMILY LAW SECTION

Join the NCAJ Family Law Section for an in-depth and comprehensive program that covers everything that a family law practitioner needs to know about discovery and the discovery process. This program will enable you to strengthen your case, obtain valuable evidence, and prove the theory of your case. Don't miss this opportunity to hear from seasoned professionals offering tools and tricks as well as personal insights into the best discovery methods to utilize in your case. Seats will fill fast, register today!



SEMINAR AGENDA

- 8:00 am **Registration and Continental Breakfast**
- 8:55 am **Welcoming Remarks – Program Co-Chairs**
Paul A. DeJesse, Jr., Hatcher Law Group, P.C., Charlotte
Evonne S. Hopkins, Raleigh Law Center, Raleigh
- 9:00 am **Subpoenas: Rule 45**
Marcia H. Armstrong, The Armstrong Law Firm, P.A., Smithfield
L. Lamar Armstrong, III, The Armstrong Law Firm, P.A. Smithfield
- Out of state subpoenas
 - Enforcing subpoenas
 - Appear and Produce vs. Produce
 - Affidavit of Custodian Records – inspection; Rule 803(6)- notice of intent to use affidavit
 - Subpoenas to parties
 - Subpoenas for confidential records
 - PC records
 - Experts
 - HIPAA considerations
- 10:00 am **Depositions: Rules 27-32**
Paul A. DeJesse, Jr., Hatcher Law Group, P.C., Charlotte
Evonne S. Hopkins, Raleigh Law Center, Raleigh
- “Standard Stipulations”
 - Objections
 - Using deposition in court
 - Problems during depositions
 - Exhibits admitted during depositions
 - Videographer
 - Stipulations
- 10:45 am **Break**
- 11:00 am **Depositions, Rules 27-32 (cont’d)**
- Uniform Interstate Depositions and Discovery Act (UIDDA)
 - Deposing experts
 - Hostile witnesses
 - Notifying opposing counsel/side if subpoena is not served
- 11:45 am **Networking Lunch** (included in registration)
- 12:45 pm **Different Methods of Discovery: Rules 26, 33, 34, 36**
Barbara Morgenstern, Morgenstern & Associates, Greensboro
- General provisions governing discovery
 - Request for production of documents
 - Interrogatories
 - Admissions
 - Proper procedure, execution, common problems, good questions/bad questions, privileged information, work product, proper objections
- 2:15 pm **Break**
- 2:30 pm **Compelling Examinations of Persons/Expert Disclosure**
Stephanie Gibbs, Gailor Hunt Jenkins Davis Taylor & Gibbs, Raleigh
Isaac Thorp, Thorp Law, Raleigh
- Physical/Mental Examinations of Persons (Rule 35)
 - Sample motions & orders (i.e. drug testing, psychological evaluations, custody evaluations)
 - The importance of strongly drafted orders for physical/mental examinations
 - Trial Preparation/Discovery of Experts – NCGS 26(b)(4)
 - Utilizing consultants/experts in discovery
 - Challenging court appointed experts through discovery



NORTH CAROLINA
ADVOCATES
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Protecting people's rights.

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February 21, 2019
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QUESTIONS

EMAIL cle@ncaj.com or
CALL 919.832.1413
or 800.688.1413



REGISTER NOW

SEMINAR AGENDA CONTINUED

- 3:30 pm Enforcement/Compliance with Discovery: Rule 37
Robin Stinson, Bell Davis & Pitt, Winston-Salem
• Sanctions
• Common issues regarding compliance
• Overcoming objections
• Spoliation letters
• Remedy when witnesses fail to appear/produce per subpoena
• Attorney's fees

4:30 pm Adjourn

SEMINAR REGISTRATION DISCOVERY TOOLBOX FOR THE FAMILY LAW LITIGATOR

Name

Address

City/State

Zip

Email (for Confirmation/Materials)

Telephone

REGISTRATION FEES

Includes seminar materials (via electronic link), breakfast, lunch, and break service. All registrants will be emailed a link to the materials before the seminar for viewing and downloading.

Table with 3 columns: Registration Category, By Feb 15, After Feb 15. Rows include NCAJ Member, NCAJ Attorney Member, NCAJ Public Service Member, NCAJ Legal Assistant Member, NCAJ First Year Attorney, Non-Member, NCAJ Retired Member, Full-time Judge, Law Student (NCAJ Member).

SEMINAR MATERIALS

All of our seminar materials are PAPERLESS! Please be on the lookout for an email 72 hours prior to the seminar that includes an electronic link to the seminar materials to download and print.

CAN'T ATTEND?

Order the Seminar Materials (available in electronic format only; you will receive an email with access to the materials).

- o \$110 NCAJ Member
o \$216.50 Non-Member

Price includes NC sales tax. Allow 1-2 weeks for delivery.

METHOD OF PAYMENT

- o Check enclosed
o Charge my: o MasterCard o Visa o AMEX

Card #

Exp. Date

Signature

THE FINE PRINT

Door Registrations: On-site registrations are accepted on a space available basis only. Please pre-register to ensure a seat. Cancellations: Cancellations received by February 19 are refunded less a \$35 service charge. Refunds cannot be given after this date. Substitutions are welcomed and may be made until the date of the seminar. For CLE Season Ticket Holders: Cancellations must be received by 12:00 Noon the third working day prior to the seminar. Cancellations received after this time will be invoiced for a \$75 materials fee. Transfers: For registrants who wish to transfer their registration to another NCAJ seminar, transfer requests received by 12:00 noon the third working day prior to the seminar are subject to a \$50 transfer fee. Transfer requests received after this time are subject to a \$110 transfer fee. Registrations may be transferred once and only to seminars scheduled through June 30, 2019. Non-Attendance: If you find you are unable to attend, you will be provided the seminar materials in lieu of a refund. MCLE Credit: This seminar has been approved by the NC State Bar for 6.0 CLE hours.

ACCOMMODATIONS

Requests for special needs will be accommodated, if possible. Contact Alex Rogers at alex@ncaj.com at least two weeks in advance to make arrangements.



THREE WAYS TO REGISTER

Mail form to NC Advocates for Justice Foundation, P.O. Box 10918, Raleigh, NC 27605-0918
Log on to www.ncaj.com (credit card only)
Fax form to 919.833.6396 (credit card only)



TO REGISTER FOR THE LIVE WEBCAST

Go to ncaj.fastcle.com or call 866.702.3278
Please note that if you register for the Live Webcast, you will not be registered to attend the seminar in person.



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