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How to Prepare & Present Your Client

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Greta Fischer is a trial attorney specializing in personal injury law at the Law Office of Robert White in Odessa, Texas. Greta was born and raised in Austin, Texas. She headed to west Texas in 2002 to attend law school at Texas Tech University in Lubbock, Texas. In 2001 Greta graduated magna cum laude with a B.B.A. in Accounting from Texas State University in San Marcos, Texas. At Texas Tech University School of Law, Greta participated in the Criminal Justice Clinic and received Jurisprudence and CALI awards for academic achievement in courses in Torts, Professional Responsibility and NAFTA. Greta was an active member of the Tech Law Democrats and the Women's Caucus.

In 2005 Greta graduated magna cum laude from Texas Tech University School of Law. After graduating from law school in 2005, Greta worked for the West Texas Innocence Project as the staff attorney and practiced private criminal defense work for one year. In October 2006, Greta joined a law firm that represented injured and disabled individuals in Social Security disability law and personal injury cases.

Greta started working for Robert White in March 2014 in order to zealously represent injured individuals in personal injury cases.

She is admitted to practice in all of the New Mexico and Texas state courts, as well as the U.S. District Court for the Western District of Texas; the U.S. District Court for the District of New Mexico; and the Tenth Circuit Court of Appeals.

Greta is the current President of the Permian Basin Trial Lawyers Association. She is a member of the Texas Trial Lawyers Association, and the Ector County Bar Association.

How to Prepare & Present Your Client

Your client is your case.

It is easy to be hired on a case and then get lost in all the issues that come with the case and forget about the most important aspect of your case, your client. Understanding your client and your client's harms and losses are important in order to convey to the other side and to the jury. Understanding your client helps you prepare your client for depositions, mediation and trial.

I. Meeting with your client pre-lawsuit

Review your client's case and issue spotting before filing a lawsuit.

What are you client's expectations?

What is the human side of what has happened to your client?

II. Discussing discovery responses with client

Even if your staff helps you in answering discovery, review it and issue spot again.

Do you need to talk with your client about any issues?

III. Meeting with client pre-deposition

You need to talk or meet with your client before their deposition. Before meeting with your client first review Defendant's discovery responses and documents produced. Again review your client's case. Anything new pop out at you that you need to discuss and get clarification from your client?

Figure out your client's case weaknesses and discuss with client. I'm always pleasantly surprised with client responses that make the weakness become a non-issue. Sometimes your client has warts and it is ok, don't we all?

Go through standard checklist of what to expect in a deposition.

- 1) Dress conservatively and act professionally at all times;
- 2) Treat the opposing attorney with respect;
- 3) Don't let the attorney put words in your mouth;
- 4) If you don't know the answer to the question, say so;
- 5) Tell the truth;

- 6) Do not argue or get angry;
- 7) Don't guess the meaning of a question;
- 8) Answer only the questions asked; and
- 9) Don't interrupt the question.

Does your firm have a video your client can watch? We use Knowles Publishing, "Preparing the Witness for a Deposition."

Review with your client their harms and losses. Here is a great checklist that we have started using with our clients to discuss harms and losses, Daniel Horowitz deserves credit for this fantastic checklist.

Make sure your client understands what is appropriate to wear to a deposition. Men: no sunglasses, no hats, no shorts. Women: No super tight fitting clothes, no short skirts, no low cut tops.

IV. After the deposition

Immediately after the deposition think critically, how did your client do, what weakness in your client's case cropped up, and how did your client present.

V. Mediation

Before mediation: discuss with your client what to expect. I think how your client dresses is more important at mediation. Make sure your client presents well.

During the mediation make small talk with your client. You get an amazing understanding of your client to help present them for trial.

VI. Trial Preparation

You now know what the Defendant's case at trial will be, and hopefully for you a story regarding your client's case has emerged. You have now spent a lot of time getting to know your client. Start talking to others about issues you think are problematic with your client's case. Start looking

around your community and life to find other people like your client. Find common themes that tie your client to everyone else to make them relatable.

Ask your client if they want to go to the courtroom with you to see it.

Have a conversation with you client about your theme/story for their case. Have an open dialogue about your theme and the story you want to paint for the jury. Then practice your questions with your client. Help your client understand your theme and how your questions and answers fit it to that theme. Don't write down questions or have client memorize answers. It needs to flow like friends having a conversation. At the same time, make sure your client has understood what you need to get from them at trial.

Go over your proposed jury charge on damages with your client. Do you have all the facts and evidence you need from your client in order to be able to fill in the damage blanks with jury during closing argument?

Have your client show you what they are wearing to trial.

Review the checklist again from section II.

V. Summary

Do not lose sight of what you are doing, you are representing a person with real harms and losses and you need to understand them in order to effectively represent your client. Break up getting to know your client and developing the story you want the jury to understand as the case unfolds. If you take the time to get to know your client then at the end you won't have so much work on the eve of trial.