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Trial Advocacy: Inferences, Arguments And Techniques (American Casebook Series)



Synopsis

Explains how to prepare a case for trial by identifying historical factual propositions that satisfy applicable legal elements; identifying evidence and inferences tending to prove or disprove the crucial factual propositions in a case; organizing evidence into persuasive arguments, whether the evidence is disputed or undisputed or suggests an implausibility in a witness' story; and understanding the influence of "silent arguments" and taking advantage of or countering such arguments. Illustrates interrelationship among evidence, argument, and technique. Sets forth and illustrates trial techniques so advocates can persuasively communicate their arguments to judges and jurors.

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Customer Reviews

Some other trial advocacy books, including Mauet's, provide good general advice but at times neglect techniques that would help the reader follow their advice. Perhaps this shortcoming is in part because the authors' experience blinds them to some of the problems faced by inexperienced readers, and perhaps it is in part because it's a lot easier to tell someone what to do than to explain exactly how to do it, especially when there may be multiple approaches to achieving the same result--more than one way to skin the cat. This book doesn't just tell you what your arguments, examinations, etc., should incorporate and achieve--it recognizes the difficulties in developing them and provides advice on how to go about making them effective and complete. The authors strive to anticipate and prevent the difficulties inexperienced readers may have, and they do not shy away

from explicitly addressing the why's, how's, and how-to's. However, rather than giving you a step-by-step recipe to baking a cake, they extract and synthesize, identifying the stages that are important to baking every kind of cake--preparation, assembly, planning, execution, presentation, etc.-- and they explain to you the key considerations that are common to every good cake recipe at each of those stages. It's a relatively small, thin book and an easy read. Yet it's the kind of book you can benefit from reading multiple times and consulting again and again. With every read, you'll strengthen your understanding and skill set, and when you read it with a particular case in mind, new ideas will spring forth in the form of aha! moments. Yes, this book is better than sliced bread. It is not, however, perfect.

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