

Monday, April 14, 2008

### **What are your favorite cross examination publications?**

Photo from website of U.S. District Court (W.D. Mi.). On a trial lawyers' listserv recently, a member passed on a law student's request for publications for learning effective cross examination in criminal cases. While nothing replaces learning cross examination through live training and in the courtroom, some high quality publications do exist, including Larry Pozner's and Roger Dodd's presentations, videos, and cross examination book. A particularly detailed and beneficial reply to the inquiry for cross examination materials came from Tom Hickman. Tom attended the Trial Lawyers College a few years after I did. He is a former elected chief prosecutor in Carroll County, Maryland, who subsequently went into private practice, and later went on to prosecute international criminal cases in Kosovo, and now is in Kabul, apparently acting as an anti-corruption advisor to the U.S. Attorney General's Office Assistance Section. Tom kindly authorized me to post his reply here about quality cross examination materials: I would stress to the student to try to win every phase of a trial and suggest that there are 4 levels of materials on cross: Video--the best Winning in the Cross-Examination --Spence Mastering the Art of Cross Examination --demonstrations by 11 lawyers 11 kinds of witnesses, narrated by Irving Younger Mastering the Art of Modern Trial Advocacy --Mike Tigar From time to time the New Yorkers and the Californians produce some great stuff and the student should call The New York Bar, The New York State Trial Lawyers Assoc, the Consumer Attorneys of California, the California Bar Assoc Transcripts--second best Terry Nichols (Oklahoma Bombing) is all on internet Irving v. Lipstadt (Holocaust denier) is all on internet State v. Bruno Hauptmann (Lindbergh Kidnapping) is all on internet Lexis --Art of Advocacy Series Cross of Medical Experts, Cross of Non-Medical Experts--many fine lawyers like Luvera and examples Books about Cross --third best Old books found in bookshops, sometimes internet booksellers: Classics of the Courtroom series such as Thomas Murphy's Cross of Dr Carl Binger in the Alger Hiss Case includes transcript Davis Wilentz Cross of Bruno Hauptmann in the Lindbergh Case includes transcript Edward Bennett Williams Cross of Jake Jacobsen in the Connolly Case includes transcript Expert Witness Direct and Cross Examination by Mulligan is super, has F. Lee Baileys crosses in the Dr Carl Coppelino murder cases Books about trial lawyers that discuss Cross--last Examining Witnesses by Tigar Once Upon A Time in Los Angeles, the Life of Earl Rogers, by Trope Anatomy of Cross Examination by Davies Handbook of Cross Examination The Mosaic Art by lanuzzi Thanks, Tom, for this list. Underdog readers: What are your favorite cross examination materials that are not listed above? Jon Katz

Posted by Jon Katz in Persuasion at 00:00

Currently, I have been reading and using, "Relentless Criminal Cross Examination" by Kevin J. Mahoney, (2008 - James Publishing). Mr. Mahoney, gives actual examples which you can use to cross-examine the witness relentlessly. He offices in Cambridge, Massachusetts, and has won 36 of his last 38 trials according to his bio. I also, absolutely cannot praise enough, Mr. John A. Tarantino, ideas about cross-examination is the few books of his that I own (wish I had more of them) --- I have his "Defending Drunk Drivers" series (James Publishing) and I have his "Litigating Neck and Back Injuries" book (James Publishing). I have used Mr. Tarantino's ideas repeatedly since I got his first book about 1992. His ideas about cross examiner the arresting officer has come in handy for me. I owe alot to other people's ideas. Thanks for all the ideas including you Mr. Jon Katz --- outstanding. Yours in the Law & For the Defense,

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