

NCDD/NACDL LAS VEGAS 2017
SWAYING THE JURY WITH OPENING
STATEMENTS



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Bio Virginia L. Landry



Virginia Landry is well known in Orange County for effectively representing persons accused of DUI cases relating to alcohol and drugs, as well as the DMV's Administrative Per Se actions for license suspensions. Located in Laguna Hills, California, the firm has successfully represented thousands of DUI clients during her twenty eight years of private practice. Virginia Landry is Board Certified in DUI Defense by the ABA and the National College for DUI Defense, is a Regent, Sustaining Member and Chairperson for the Diversity and Listserv Committees. Virginia serves on the National Association of Criminal Defense Lawyers Association DUI Committee. She currently serves on the Board of Directors for the California DUI Lawyers Association as its Secretary. Virginia Landry is a current member of the Orange County Bar Association, previously serving on the Board of Directors and on two committees. Virginia Landry is qualified as an Instructor for Standardized Field Sobriety Testing, and owns two portable breath testing machines. Speaking engagements include the National College for DUI Defense, Mastering Scientific Evidence, California State Bar Association's annual meeting, the California DUI Lawyers Association, California Attorneys for Criminal Justice, the California Public Defenders Association, the West, Newport Harbor and South Harbor Orange County Bar Associations and the Bridging the Gap program for new attorneys. Ms. Landry has been a guest lecturer at Chapman University of Law, Western State University and Trinity College of Law. Virginia Landry has been featured in the Orange County Register, the OC Bulletin, the Irvine World News and appeared on news channels 4 and 13 and radio talk show "Ridin' Dirty".

Professional Affiliations

Virginia L. Landry



National College for DUI Defense

National Association of Criminal Defense Lawyers

California Attorneys for Criminal Justice

California DUI Lawyers Association

California Public Defenders Association

American Bar Association

Orange County Bar Association

Newport Harbor Bar Association

West Orange County Bar Association

South Orange County Bar Association

Northern Arizona University Alumni Association

Western State College of Law Alumni Association

OPENING STATEMENTS

- Make an Impact
- Reinforce Your Theme
- Give Sound Bites and be Engaging
- Get Them Ready to Say the Words: Not Guilty!

ULTIMATE GOALS

- Education on Contested Issues
- Get the Jurors to Wait for you
- Permission to Join the Team
- Emotional Connection
- Give a Road Map for Getting to Not Guilty

MAXIMUM PRODUCTIVITY AND EFFICIENCY

- Is your case a factual case?
- Is your case a legal case?
- Is your case a mess?
If so, how do you fix it?

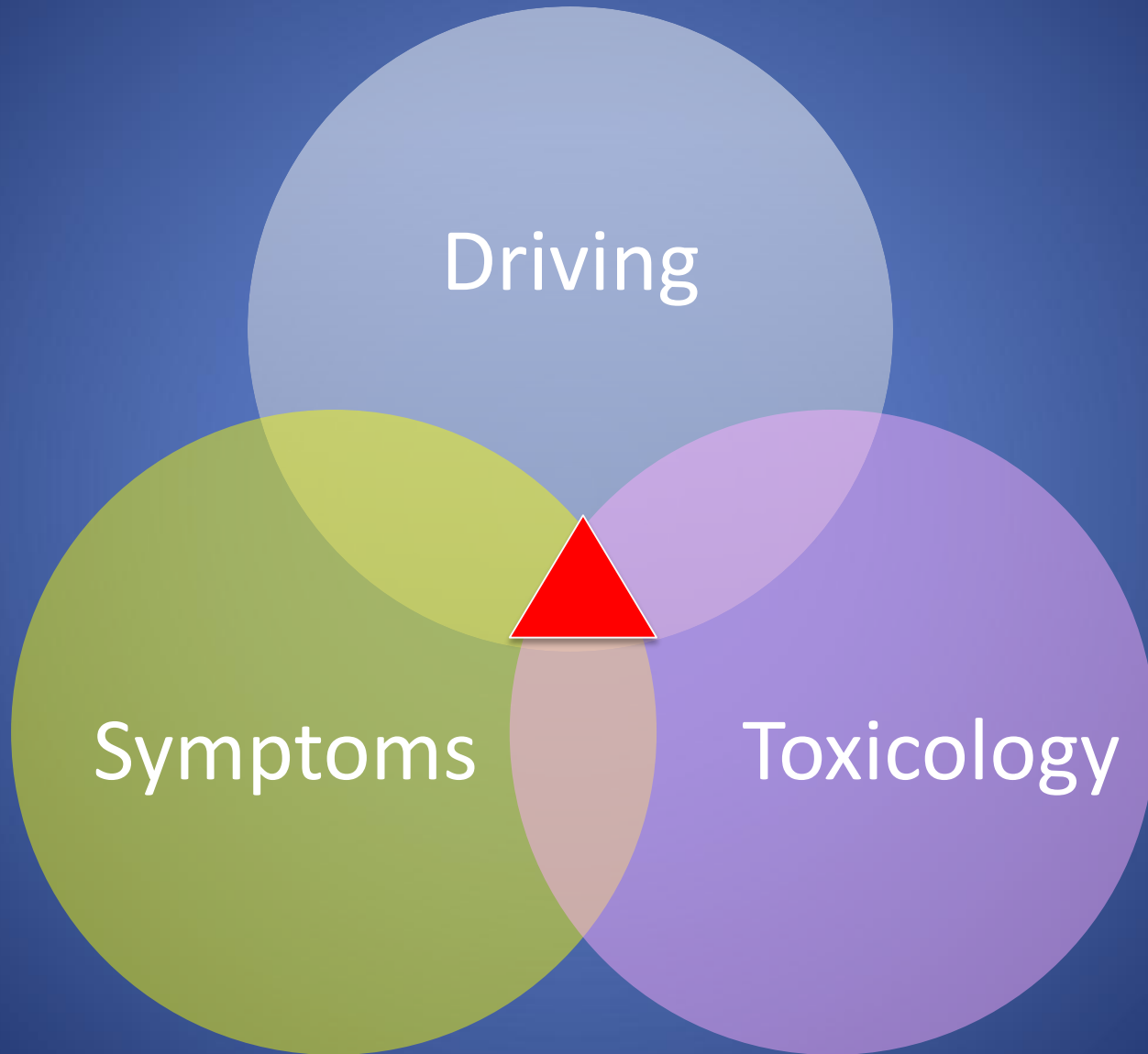
Factual Cases

Driving

Symptoms

Toxicology

Proving Impairment



Legal Case

- Motions to Suppress Pre-Trial
- Motions In Limine At Trial/During Trial
- Because you want to be fair, justice and reasonable

So Your Case Is A Mess

- Bad Client
- Bad Facts
- Bad Law
- Bad Officer
- Bad Vampire
- Bad/Mad Scientist
 - IDENTIFY THE WEAKNESS AND EMBRACE IT

PREPARATION FOR OPENING

- Outline
- Chapter Method
- What Points Must Be Made During Trial
- Don't Present Swiss Cheese When the Jurors Want Filet Mignon
- Empowerment through Knowledge

ORGANIZE AND USE TRILOGIES

- What Do You Need to Accomplish?
- How Are You Going to Accomplish It?
- You Have 4 Chances:
 - VD/Opening/Questions/Closing

CHANCES ARE LIKE LIFE: 4 PARTS

- Voir Dire: Act One
- Educate on concepts of
 - Presumption of Innocence
 - Reasonable Doubt
 - Burden of Proof

OPENING: ACT TWO

- Speed Dating
 - Short Amount of Time
 - Have To Like The Look
 - Must Make An Emotional Connection
 - Must Want Them to Want You More

OPENING: ACT TWO

- Emotional Connection
- Wanting to Serve and Protect, or
- Wanting to Correct the Wrong,
- Doing What is Fair, Right, and Just

HOW DO YOU DO IT?

Captivate the Senses

Allow for Reflection

Use Words To Put You In the Mood

EXAMPLES

Single Car Accident:

– 1st Person

Age or Medical Condition

Parents/Grandparents/Children

Toxicology: Monkeys Making Magic

PRACTICE AND PARTICIPATION

Volunteers

Selection

Special thanks to *Lorena Hughes* for assisting in the preparation of this PPT

THANK YOU to our support team!

Lorena Hughes



Suzie Mendoza



Maritza Flores



FOR AN ELECTRONIC COPY OF THESE SLIDES

TEXT: Openings to: (949) 531-7060

and follow the prompts