**Tip on Murder Boards: Part 1--Legal Office’s Posture**

- As part of a litigation team’s training program, murder boards:

-- Should be treated as a training and shaping exercise…not as a graded exercise

-- Train everyone in the room; learn the lessons and incorporate into other cases

-- Encourage teamwork. Help each other strengthen litigation skills

-- Leaders (of all ranks) set a tone of respect, teamwork, improvement, and diligence

- Timing: Ask for a murder board early enough:

-- To feel no pressure for upcoming litigation (i.e. weeks out from trial)

-- To incorporate suggestions

-- To complete a major piece of preparation, then move on to next piece of prep

-- To target:

--- 1st Opening ~2 weeks after preferral (when witness interviews/facts are still

fresh in mind); 2nd Opening 2-3 weeks later for SPCM (after Art 32 for GCM)

--- Closing/Sentencing 2-3 weeks prior to trial; nlt 7-10 days prior to trial

---- This allows time to incorporate suggestions, to give the Argument a 2nd

time if needed, & to focus on other areas of prep the week prior to trial

- Format for inputs

-- Each viewer provides 2-3 inputs

-- Everyone provides at least 1 comment; no one provides more than 3 inputs (except SJA)

-- Reflect a constructive tone conducive to training, encouragement, and improvement

-- Inputs should be practical enough to be incorporated

--- This is not the place for abstract wonderings or stream of consciousness

-- Focus on helping the counsel and appreciate different approaches to presenting a case

-- Co-counsel or another JAG records inputs for the Trial Counsel

-- Trial Counsel should also take some notes, and listen to inputs more than defend

-- Trial Counsel is not required to accept or incorporate every change: adjudicate the ideas

-- Consider the Trial Counsel Posture for potential areas to assess

**Tip on Murder Boards: Part 2--Trial Counsel Posture**

- Preparation

-- Mastery of the facts helps with the presentation and also enhances all trial prep

-- Give a good effort…don’t go half way (which is unhelpful to you and the viewer)

--- Somewhere around 85% solution is the right target for early murder boards

--- In addition to murder boards, you can practice with someone informally

-- Remember, it’s not a dress rehearsal. Work on communicating the message of the case

--- You don’t need to fully memorize the delivery for a murder board

--- Don’t rely totally on notes, but expect to use notes a bit more now than in trial

-- Strongly consider a practice run of the opening early in the case to discuss the general

theory and flow of the opening to develop direction for the murder board

- Style

-- Murder boards are not focused on changing a presenter’s style

--- Every counsel has different strengths and style

--- When presenting, work within (and develop) your strength and style

--- When observing, try to identify a presenter’s natural strengths

-- Practice meaningful movement and some eye contact, and avoid distracting movement

-- Give thought to word choice and clear logic. Avoid verbal distractors

- Content

-- Clearly present theme

-- Try to nail your intro and conclusion (esp. 1st and last sentence; start and end strong)

-- Connect facts with the criminal nature of the actions; cover key points and details

-- Persuade during opening with a good story; argue during closing (draw

conclusions/support arguments with logic)

- Organization

-- Shoot for a 7-12 minute opening; closing is usually 1.5-2x as long

--- Co-counsel or another JAG times the presentation

-- Choose a format (chronological, by crime, by location)

-- Choose helpful signposts; help court members understand the case

-- Consider using modules: a developed idea that can be shifted within a presentation

--- Allows for flexibility in organization

--- Assists in presenting sections of the case