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January 29, 2010

William F. Ward, Esquire
Allegheny County Bar Association
Federal Court Section Chair
Ward McGough, LLC
Koppers Building, Suite 2312
436 Seventh Avenue
Pittsburgh, PA 15219

Re: 29th Annual National Trial Advocacy College

Dear Bill:

I want to thank the Allegheny County Bar Association, Federal Court Section, for awarding to me its inaugural scholarship to the 29th Annual National Trial Advocacy College at the University of Virginia. I attended the College on January 9-14 of this year. My six days at the Trial College proved to be a rigorous, intense and rewarding experience. In other words, I learned a lot.

This continuing legal education program is unlike any I have ever personally attended. I would hazard to guess that it is unique and unto itself in its approach to legal education. Everyone was given a sample file previous to the start of the seminar. We were to review the file and have an opening statement ready for our first small group session on Saturday morning. These small group sessions (groups of 8 similarly situated lawyers) are the focus of the seminar. In these small groups each attorney practiced every aspect of trial work, from opening statements to closing statements while being filmed for, I believe, self-evaluation; although, in my case the filming may have been for self-humiliation. Each small group was taught by an experienced litigator who offered what can only be described as brutally honest criticism. Additionally, the instructors acted as judges as well as opposing counsel during the time that enrollees practiced opening statements, direct examinations, cross-examinations and summations. The instructors did not hesitate to object when appropriate making the exercises as "real" as possible.

The efficacy of the seminar emanated from the instantaneous feedback and critique from the faculty after each individual exercise. It was apparent that the instructors were not there to stroke our egos, but to make us better trial lawyers. Even

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the faculty members were critiqued thoroughly by other faculty members, after giving example opening statements or performing direct examinations during group sessions.

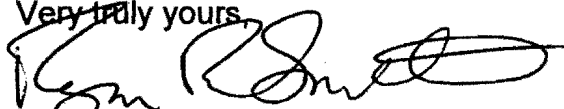
The seminar culminated in the trial of an actual case by each enrollee. Federal and State Court judges presided over these trials with local high school students acting as jurors. Again, the judges presiding over our trials gave immediate, forthright and no-nonsense critical evaluations of each part of our trials. There was very little positive feedback given during these critiques, the theory being, I believe, that since we were all there to get better as trial lawyers, during a limited time-frame, the focus needed to be on improvement rather than flattery.

The National Trial Advocacy College operates under the premise that every aspect of a trial has a purpose. That purpose is to argue your case to the jury. This was constantly drilled into us during the seminar. The questions were constantly asked of enrollees, "What is the purpose of direct examination?" Answer, "To argue your case to the jury." "What is the purpose of a closing statement?" Answer, "To argue your case to the jury." "If you are conducting direct examination, what should you be doing?" Answer, "Arguing your case to the jury." Although a simple and straightforward concept, what this means, practically, is that one must be very thoughtful of the order in which he prepares his opening statement, direct examination, cross-examination and summation. This is because it is extremely unlikely that a simple chronological opening statement or direct examination will be the most persuasive. Accordingly, in order to put this principal into practice, a lawyer must think long and hard in ordering his sequence of "arguments".

It would be impossible for me to adequately describe my experience at the National Trial Advocacy College in this letter. Suffice to say, the six days I spent in Charlottesville, VA were a seminal moment in my legal career. I have noticed that I have already begun thinking differently about the cases on which I am currently working. I recently received discovery on a case and while reading it, the cross-examination of the Defendant was already taking shape in my mind. I found myself making my arguments in the case, even during a primary review of discovery. The Trial Advocacy College teaches lawyers to think differently. The rigorous schedule and forced participation result in immediate and profound improvement to a lawyer's trial skills.

I hope that the Federal Court Section will continue to award a scholarship, yearly, so that other young lawyers may benefit from one of the truly fantastic trial advocacy programs available.

Very truly yours,



Ryan R. Smith

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