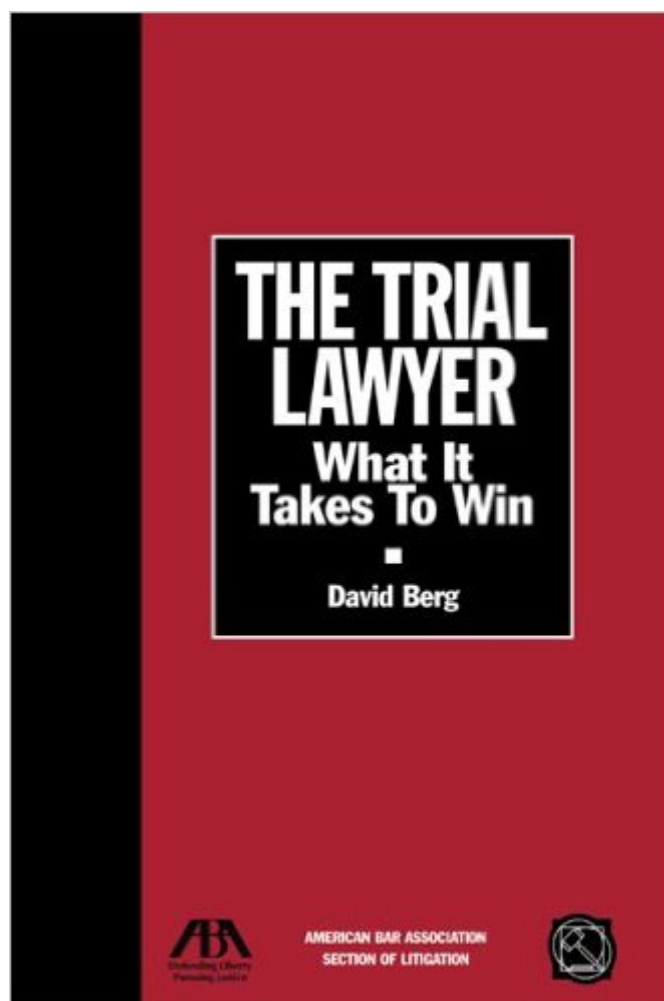


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# The Trial Lawyer: What It Takes To Win (Section Of Litigation's Monograph Series)



## Synopsis

David Berg knows how to win cases. And he knows how to tell a story. In *The Trial Lawyer: What It Takes To Win* Berg puts both skills to dazzling use in an engaging and instructive guide to winning at trial. Berg covers the key elements of a trial - persuasion, discovery, jury studies, voir dire, opening arguments, cross examinations, preparing and presenting witnesses and closing arguments - but he also shares his thoughts on what it takes to win - whether winning means a decisive verdict or an extraordinary settlement.

## Book Information

Series: Section of Litigation's Monograph Series

Paperback: 310 pages

Publisher: American Bar Association (August 3, 2006)

Language: English

ISBN-10: 1590315898

ISBN-13: 978-1590315897

Product Dimensions: 6.1 x 0.7 x 9.6 inches

Shipping Weight: 1 pounds (View shipping rates and policies)

Average Customer Review: 5.0 out of 5 stars [See all reviews](#) (7 customer reviews)

Best Sellers Rank: #1,377,110 in Books (See Top 100 in Books) #81 in [Books > Law >](#)

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## Customer Reviews

If you want to learn more about trying cases, get this book and splurge for the deluxe DVD edition. Failure to do so is, as Berg might put it, "false economy." For example, the DVDs contain large parts of Berg's closing in *Wyatt v. Sakowitz*, videotaped at the old Harris County courthouse. It is a rare glimpse of a masterful closing as it happened. You can hear the nervous tension in Berg's voice, but also the rhythm, emotion, and sincerity of his delivery. A transcript would get only about a tenth of what the tape captures. To use another Bergism, it will make the hair on the back of your neck stand up. Berg also provides one of the best guides to jury selection I have seen. He shares strategies that took him decades to develop in a way that even a novice can quickly adopt and use. Berg once said that history forgets many of the great trial lawyers. Berg's book will preserve not only his achievements, but also those of many of his contemporaries in the various war stories he uses to illustrate his points.

I am in my fifth year now, and I've still never had a jury trial, because of the explosion of alternative dispute resolution. Despite the diminishing frequency of the jury trial, this book is still an absolute must. To me, the following points the author makes are accurate--you must conduct litigation like you will go to trial, and, on occasion, you must actually go to trial. This book teaches you how to act like a real litigator. He emphasizes being a "bulldog about documents," and states the best depositions are the ones that draw blood. He also tells you how to pick a jury, how to open, how to conduct direct and cross, and how to close, among other things. In fairness, there really are just too many good parts to single anything out--the whole damn book is invaluable. Further, it is written with humor and with good stories. Highly recommended.

Each arena has it's Michael Jordan. In the courtroom, it is David Berg. And Berg has taken this natural talent and time-honed skill to a new level as he unlocks certain secrets that have catapulted him to the top of his profession. What most have considered his "magic," he explains as common sense practice. This book should be a required text at every law school. Those in the legal profession should not just read this, they should study it. The difference it will make in case results more than pays for the book, over and over again.

In my 40 years of trial practice, few books are better organized, or present more useful insights in how to try cases. David Berg has been in the pits, has dozens of verdicts in all kinds of civil and criminal cases--everything from murder to patent infringement--and writes about them very well. Drawing on his experience, David explains the importance, goals, and methods of achieving those goals, for each step of representation, from the first meeting with the client, to the final words of closing argument. And while this isn't one of those "war story" book, he does use examples from his own cases and those of other trial lawyers to make his points. This book is a "must read," not just for aspiring trial lawyers, but for all who want to enhance their skills in the courtroom. It should be mandatory reading for law school advocacy classes.

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