

The Advocacy Trainer, A Manual for Supervisors

“Nothing is more important than military justice, whether effectively and fairly prosecuting cases or ardently and ethically defending fellow soldiers. The training in this book is performance-oriented, designed to develop and hone the central skills of trial advocacy for counsel of all skill and experience levels.”

From the Foreword to The Advocacy Trainer.

In October 1997, The Criminal Law Department, The Judge Advocate General’s School, United States Army, (TJAGSA) published *The Advocacy Trainer, A Manual for Supervisors (The Advocacy Trainer)*. *The Advocacy Trainer* is a comprehensive supervisor’s guide to training judge advocates of all experience levels in the fundamentals of trial advocacy. Its tabular design allows supervisors to conduct long-term building block training, or short-term targeted “deficiency” training. Recognizing the demands and time constraints of supervisors and counsel, *The Advocacy Trainer* provides a ready package of easily digested and executed training vignettes that enhance critical litigation skills.

The Advocacy Trainer contains five principal chapters, subdivided into training modules.⁵ Each module provides an easily digested training session on a specific trial skill, such as impeachment with a prior inconsistent statement or laying the foundation for a photograph. Every module contains a Supervisor’s Guide, Skill Drills (the actual training vignettes), Counsel Handouts, and Sample Solutions.

The Supervisor’s Guide is the trainer’s “cheat-sheet.” It covers the fundamental substantive aspects of the relevant skill, and pragmatic advocacy practice pointers. The Skill Drills follow the Supervisor’s Guide and are the “meat” of *The Advocacy Trainer*. In this section, short factual scenarios are followed by

a series of drills for counsel. This section also provides the necessary evidence for use in the drills, such as lab reports, photographs, or bad checks. A Counsel Handout that alerts the trainee to the subject of the upcoming training, the fact pattern(s) involved, relevant law and practical tips follows the Skill Drills. The last section of every module is a sample solution that is given to the student at the conclusion of each training session.

In addition to providing supervisors a “soup-to-nuts” training plan that covers almost every aspect of the trial process, *The Advocacy Trainer* removes the typical deterrents to training: (1) not enough time to plan training, (2) supervisors are unsure of the substantive law, and (3) sterile discussions and theoretical classes that do not give students a chance to practice. *The Advocacy Trainer* answers all three concerns. First, planning is already done by *The Advocacy Trainer* authors who drafted the training scenarios, removing the need for busy supervisors to create training scenarios. Second, providing the law and practical advice to supervisors defeats a supervisor’s disinclination to teach and coach. Third, *The Advocacy Trainer* is practice-oriented, so counsel pay attention and profit from *doing*. They learn from the productive pressure generated from being on their feet at each training session. The sample solution gives them something to carry away, file, and review when they are ready to put these skills to the test in court.

The Advocacy Trainer will be updated and supplemented annually by the Criminal Law Department, TJAGSA. The manual is now available electronically. You can access *The Advocacy Trainer* under the Publications listing on TJAGSA’s home page at <<http://www.jagcnet.army.mil/tjagsa>>.

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5. The five principal chapters are (1) Learn the Skill, (2) Apply the Skill, (3) Develop the Skill: Impeachment, (4) Develop the Skill: Foundations, and (5) Hearsay.