

# *The Art and Science of Mastering the Jury Trial*

By Judge Samuel Johnston and Irv Cantor  
The Virginia Trial Lawyers Foundation, 2015  
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Reviewed by Nathan Veldhuis

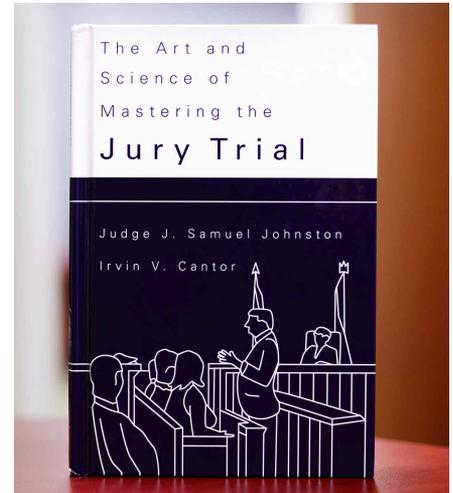
*The Art and Science of Mastering the Jury Trial* is a valuable tool for any trial lawyer regardless of his or her level of experience. Its chapters are concise, yet fecund with valuable advice and insight. Illustrative anecdotes and vignettes are sprinkled throughout the chapters and offer useful applicative demonstrations of the authors' points. Each chapter is concluded with a summary paragraph encapsulating the major points preceding it.

The book tracks the life of a jury trial from the moment a potential client appears at a lawyer's office through post-trial motions. The authors' presentation is unique in that it appeals to both new lawyers and seasoned lawyers alike. Moments in the book are plainly intended to speak to a less experienced audience, but at the same time manage to impart pearls of wisdom to the more experienced audience.

Likewise, the authors often offer advanced insight into how a lawyer should approach the jury trial, but are able to articulate it in a way even the newest lawyer can follow. The vocabulary used in the book is to be commended as erudite and witty without being cumbersome. A bit of somewhat comedic irreverence at various points in the book adds levity to the authors' points and aids in their making a practical connection with the reader.

The authors' experience practicing what they preach is evident throughout the book and much of what the reader enjoys is reaping the benefit of what the authors have experienced in practice. This is not an academic book a law student would ever be assigned to read in school, but as a practical matter most certainly should. It does not read like a text book, but more as a "how to" guide. Indeed, the book is full of unwritten rules the authors have developed or learned in their years of experience, from *voir dire* to post-trial motions, from early preparation to managing and utilizing exhibits effectively, and from expert witnesses to opening statement and closing argument. The most valuable points the reader finds in the pages of this book are not found in text books or cumbersome, laborious horn books. Rather, it serves as a light, quick-reading resource full of practical advice gleaned from lifetimes of experience.

The authors intentionally place heavy focus on the jury throughout the book—who are the members of the jury, how are they selected, how does a trial lawyer best communicate with the jury, what to do and what *not* to do in front of jurors and prospective jurors, how to win a jury over with the lawyer's view of the case, and other gems. The book speaks directly to the reader in an almost conversational way, which also makes it easy to read. Though the book at times feels redundant, the reader will come away wishing for more. Indeed, as the reader finishes the final chapter on post-trial motions, the reader is hopeful for an epilogue or some parting words of advice following the final chapter. One hopes this work is a "living work" that will be augmented and developed with multiple editions from which trial lawyers will only benefit as years pass. The book is unquestionably a must read for trial lawyers looking to master the art and science of the jury trial.



**Nathan Veldhuis** is a personal injury attorney with DiMuroGinsberg PC in Alexandria. He serves as treasurer on the Virginia State Bar's Litigation Section Board of Governors and is on the Standing Committee on Legal Ethics. He is a member of the Boyd Graves Conference and is on the Virginia Trial Lawyers Association Board of Governors as chair of the College of Trial Advocacy.