

# Center for Excellence in Advocacy

True believers. These are the lawyers who pursue a client's claim to victory despite the odds and the cynics. We all know such lawyers who believe justice will win out despite the odds. Many of them are graduates of Washburn Law. This year, the advocacy center's student organization, the Washburn Advocacy Society, invited some true believers to campus to share the stories of their cases and the people for whom they fought.

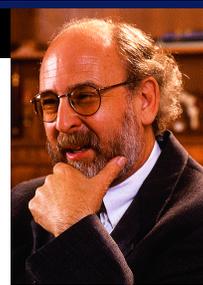
L.J. Leatherman '92, of Palmer, Leatherman & White, L.L.P., Topeka, KS, told of accepting pro bono, the defense in a homicide case of a man charged in Wichita, Kansas with killing his infant son. Relying on his medico-legal knowledge and on his own persistence, Leatherman won a not guilty verdict in his first criminal case, a case that demonstrated how the legal system had failed to correctly assess that Leatherman's client was trying to help, not hurt, his son.

Sean O'Brien, from the Public Interest Litigation Clinic, Kansas City, MO, a highly respected criminal defense and capital case defense lawyer recounted how he had a case go to the U.S. Supreme Court on behalf of an indigent state prisoner sentenced to death in a prison homicide case. O'Brien was successful before the Court and eventually succeeded in avoiding the death penalty altogether. Stuart Taylor in the Legal Times said the case showed how important O'Brien's habeas corpus win is for people facing capital punishment and who formerly were represented at trial by under qualified and often under compensated trial counsel.

Trial strategy was the topic of prominent criminal defense lawyer Dan Monnat of Monnat and Spurrier Chtd, in Wichita, KS, and his wife Grace X-Wu Monnat. Using graphic examples from the martial arts, the couple demonstrated the effectiveness of strategic thinking, with a far-eastern influence, in jury selection, case strategy, motions before trial and argument.



**Professor Michael Kaye**



Grace X-Wu Monnat demonstrated martial arts techniques and Dan used a power point show to illustrate with some pictures from China the conceptual links between martial arts and trial practice.

Tanya Treadway, Assistant U.S. Attorney and Sean Moore '01, with the U.S. Attorney's office in Topeka, KS, demonstrated the advantages of presenting a prosecution case using courtroom presentation technology in the Robinson Courtroom and Bianchino Technology Center. The lawyers demonstrated techniques of direct and cross examination in cases they had previously tried. In a complex trial, document control can overwhelm the advocate's message. As Mike Manning '77 and Lynn Johnson '70 had done in earlier presentations, Treadway and Moore showed how technology can enhance advocacy and help manage the large and complicated case.

Finally, our series of true believers closed with Pedro Irigonegaray '73 of Irigonegaray and Associates, Topeka, KS. Irigonegaray discussed legal ethics, trial preparation, the enjoyment of trial work and scenes from some of his great cases and significant victories.

All of these presentations were followed by lunch and a round table discussion with interested students. The discussions were frank, interesting and helpful to the aspiring advocate.

## The Coming Year

As we approach the fall and prepare to welcome a new freshman class to the study of law and the practice through our center, we are updating our web page, and inviting speakers to campus to continue the melding of law study and law practice interests and addressing the connections between Washburn faculty, alums, friends and law students.

The center will hold an advocacy teacher training session for Washburn Law trial ad faculty taught by the Honorable Sanford Brook of the Indiana Court of Appeals. A four day Death Penalty defense conference will be held in November. The conference will be one of the first in America to discuss the new ABA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases. In the spring, there will be a tribal advocacy / trial advocacy conference focusing on tribal work and Native American law. Professor James Wadley is active in the planning of the tribal advocacy law conference.

In September, the center, in cooperation with Amnesty International and the Kansas Partnership with Paraguay, will host visitors from the Supreme Court of Paraguay interested in cooperation concerning advocacy issues in Paraguay and in the preservation of the infamous Archives of Terror, former government files from various Latin-American countries that document the breakdown of law and the torture of political prisoners in the region. The files are currently housed in Asuncion, Paraguay... Some of this information has been used already in international litigation, most notably in con-

nection with efforts to extradite former Chilean General Pinochet from Spain to stand trial in Chile.

The center will continue its court watch program in U.S. District Court and hopes to expand the program to state court. Students will actively continue to support and participate in trial competitions. Visiting professor Curt Waugh '87 previously with Goodell Stratton

Edmonds & Palmer, has joined the trial ad coaching team. Professors James M. Concannon and Peter Cotorceanu, and visiting Professor Stephanie Mathews have worked hard with students to build on our longstanding moot court program and their innovative changes will be put in effect this year.

Finally, Professor Doug Colbert, professor at the University of Maryland Law School is arranging to visit this year and spend several days as jurist in residence. An activist professor and law clinician, recognized for his work with legislators in achieving state bail reform, Colbert promises to be an exciting visitor, working and meeting with clinical and classroom, as well as trial advocacy students and faculty.

We are keeping the connection. True believers.

If you wish to learn more about the center, or if you would like to volunteer , please contact director, Professor Michael Kaye, at [Michael.kaye@washburn.edu](mailto:Michael.kaye@washburn.edu)

