For me, the most excruciatingly intense period of time is that brief period where the foreperson hands the verdict to the bailiff, who hands it to the judge, who hands it to the clerk to read. All of the months and years of education, training, and preparation are crystalized into that one unique point in time. For a trial attorney, it is the ultimate high—or the ultimate low.

I spent 20 years in front of the bench trying cases. For 15 years I have been on the bench watching cases being tried, and for 30 years I have trained advocates from Tasmania to Tanzania, from Boston to Beijing. I don’t know when exactly I started writing the Practice Points column for Litigation News, but I was honored when someone in the Section of Litigation thought there were enough columns to justify this book.

After reading these columns one more time before publication, I can tell you that I doubt there is a single, original thought in any of the columns. What I have written comes from my years of trial and error combined with stealing every good technique I saw in court. I have stolen liberally from my fellow trainers at the National Institute for Trial Advocacy.

This book is dedicated to my family—my parents, Gary and Norma, who set an example that I am still trying to achieve; my wife, Carol and our children, David, Alexander, and Jane. They carried on while I was away in trial or teaching.

This book is also dedicated to my mentor, David M. Malone. In 1985, I was one of his students at the National Session of the National Institute for Trial Advocacy held in Boulder, Colorado. He was my team leader. The next year Dave asked me to teach with him. To say that Dave asking me to teach with him changed my life would be a gross understatement. I have taught with, and learned from, some of the greatest trial lawyers in the world, and have traveled the world, due to his taking a chance on me. Dave passed away much too soon, and the world of advocacy training lost one of its stars.
All of the instructors for the National Institute for Trial Advocacy have freely shared their techniques, tips, and tactics with me. It is in this same spirit that I shared them with you through my columns, which are now collected here.

Mark A. Drummond