

Theory of the case

- Blue print from which you construct your case
- Law
- Facts both good and bad
- Common sense
- Emotional hook
- Can be revised and updated and more information becomes available

Theory of the Case

- "A paragraph of one to three sentences which summarizes the facts, emotions and legal basis for the citizen accused's acquittal or conviction on lesser charge while telling the defenses story of innocence or reduced culpability" - Vince Aprile

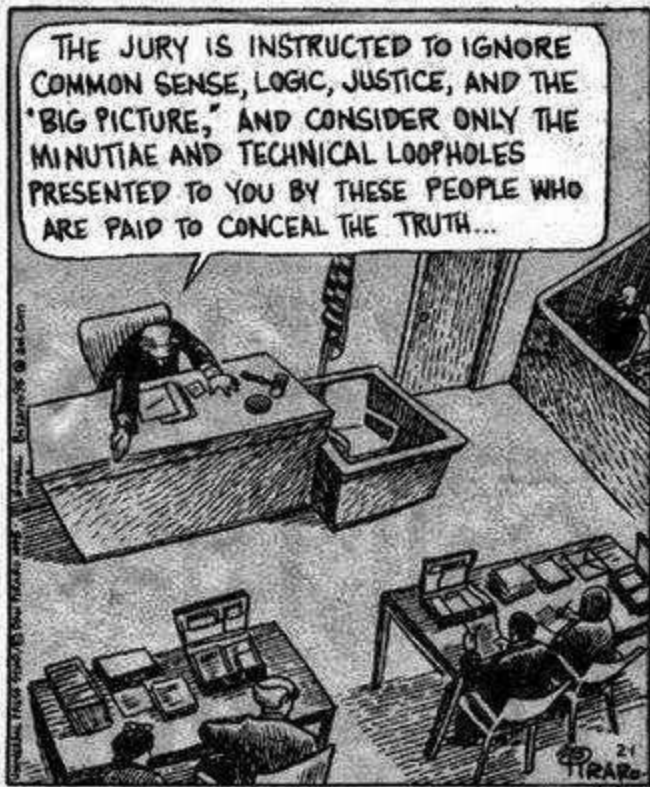
Defense of TPR cases







THE JURY IS INSTRUCTED TO IGNORE COMMON SENSE, LOGIC, JUSTICE, AND THE "BIG PICTURE," AND CONSIDER ONLY THE MINUTIAE AND TECHNICAL LOOPHOLES PRESENTED TO YOU BY THESE PEOPLE WHO ARE PAID TO CONCEAL THE TRUTH...





**DIAMONDS
ARE A
GIRL'S
BEST
FRIEND**

Motion Commotion by Charles Fincher



MOTION FOR SUMMARY JUDGMENT

Common Grounds

- Abandonment
- Failure to Assume parental responsibility

Continuing CHIPS

1. Has Jay'Den been adjudged to be in need of protection or services and placed outside the home for a cumulative period of six months or longer pursuant to one or more court orders containing the termination of parental rights notice by law?

2. Did Anytown County Department of Social Services make a reasonable effort to provide the services ordered by the court?

3. Has Tanya Hess failed to meet the conditions established for the safe return of Jay'Den to Tanya's home?

4. Is there a substantial likelihood that Tanya Hess will not meet these conditions within the nine-month period following the conclusion of this hearing?

Issues spotting and defense



Brainstorm
Session

Defense

1. She met the conditions
2. She didn't meet the conditions because no reasonable efforts
3. She didn't meet the conditions but she will within 9 months