



2009



The NITA Foundation 2009 Annual Report

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Mission Statement & Board of Trustees

NITA is a dedicated team of practicing lawyers, professors, and judges who believe that skilled and ethical advocacy is a critical component of legal professionalism and all systems of dispute resolution that seek justice. NITA's mission is to improve access, fairness, and credibility of adversarial justice systems through the training of effective, ethical, and efficient advocates.

When you contribute to the NITA Foundation, your gift works to promote justice through our various training and educational programs, both in this country and abroad. The NITA Foundation, a tax-exempt, charitable organization, exists to support the operations and programs of NITA, also a tax-exempt, charitable organization.

NITA Foundation Board of Trustees

Laurence M. Rose, *President*
Joseph R. Bankoff
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NITA Foundation Staff

Whitney Cortner, *Development Manager*



Letter from the President



Although 2009 included difficulties and stress, NITA and the NITA Foundation are proud of the impact that was made in our communities, both here and abroad.

Through the generosity of law firms, individuals, and foundations, NITA and the NITA Foundation provided more than 35 public service programs around the world. In addition, through scholarships and public service discounts, more than \$305,000 was devoted to train attorneys working on behalf of the indigent and disenfranchised to ensure equal access to justice, including 122 scholarships totaling \$185,000.

Fueled by the support of our 2009 donors, we hosted programs to serve advocates for the elderly, Native Americans, and juvenile defendants as well as Legal Services Corporation grantees. Funded by a grant from the Office of Violence Against Women of the U.S. Department of Justice, we also offered a trial advocacy program that trained 19 advocates who assist victims of domestic violence.

The year was further historic by the presentation of a joint program NITA held in October with the Legal Services Corporation. Supported by a generous contribution from Sullivan & Cromwell, 74 attorneys from LSC organizations spent one week at NITA's National Education Center learning and improving case analysis, pretrial skills, and trial skills under the tutelage of almost 40 volunteer teachers from across the country.

Recognizing that one act of generosity builds upon another is evident in many ways at NITA, such as: rule-of-law training in Kenya and South Africa; our law school and lawyer training in Japan on the renewal of jury trials in criminal cases; the continued expansion of oral advocacy trials in Mexico; as well as our continued domestic programs that support the work of victim witness advocates, child advocates, and Native American tribal advocates.

Giving back to our global community is another core value for NITA. We do this through \$3.3 million worth of in-kind services donated in 2009 by 820 faculty volunteers. Additionally, NITA's Publications Department sent thousands of our books and materials to be used all over the world by our nonprofit partners, such as Lawyers Without Borders, the American Bar Association's Rule of Law Initiatives,

and the ABA-CEELI project to promote justice in emerging democracies with evolving judicial systems. NITA builds upon this value through its outreach programs and international partnerships in such countries as Kenya, Japan, Mexico, and South Africa.

While much was accomplished in 2009, more still needs to be done. We recognize that scholarships for public service lawyers are still a priority for all of us. This need-based assistance not only permits qualified attorneys to benefit from NITA program attendance, but it also means that clients and the public benefit from the enhanced advocacy obtained by these dedicated attorneys.

Pictured from left to right, NITA Program Directors Bob Stein, Nancy Vaidik, President of Northern Ireland Law Society Barry Finlay, NITA Program Director Marcia Levy, and NITA President and CEO Lonny Rose, at the September 10, 2009 dedication of the Northern Ireland Law Society Headquarters.



It is important to remember that 100% of every dollar raised through the NITA Foundation is used to fund scholarships and public service programs without any deduction for fundraising or administrative costs. Since our inception in 2003, the NITA Foundation has disbursed over \$2.1 million for scholarships and programs for public service lawyers. Thank you to all of our donors who have invested in the NITA Foundation and who join us as advocates of justice.

Sincerely,

Laurence M. Rose
President

Pictured in the photo to the right, NITA President and CEO Lonny Rose, LSC President Helaine Barnett and NITA Director of Specialty Programs Mark Caldwell.



Our History & Values



In 1971, a handful of law professors, judges and attorneys came together to form a nonprofit organization unlike any other organization engaged in legal training and education. The National Institute for Trial Advocacy or NITA, as it later became known, was headquartered in Boulder, Colorado and was different for a number of reasons: it was a nonprofit organization; it represented a diverse group of leaders in the legal community; it created a “learning by doing” teaching method; and, most importantly, it was firmly grounded in several core values.

Those values are mentoring, community, excellence, ethics, giving back across the globe, and justice. In 2003, the Board of Trustees of NITA formed the NITA Foundation to expand its work. Then, as now, NITA works to ensure that these core values are reflected in all of its activities and programs. NITA’s programs are unique because of the personal connection of faculty to students and the opportunity for one-on-one interaction and education. Our “learning by doing” methodology fosters numerous life-long mentoring opportunities among our faculty and students. Believing that our community, including the legal community, ought to be inclusive, diverse, and representative of all cultures, NITA strives now, as then, to impact this core value in all that we do. The NITA Foundation further builds on this value as all of its programs are designed to ensure inclusiveness and diversity.

All of our training programs and publications must be representative of our unyielding quest for excellence. Because of our desire to deliver excellence, NITA did not publish its first case file until 1977. The thought was then, as it is now, that we would produce only the highest quality work rather than just another case file or book for our audience. The result is excellent books for advocates.

As committed as we are to excellence, we are equally committed to the ethical practice of law. To do any less would undermine the principles of justice and fairness. Giving back to our global community is another core value of NITA. We do this through \$3.3 million worth of in-kind services donated in 2009 by 820 faculty volunteers. Each year, NITA's Publications Department sends thousands of our books and materials to be used all over the world by our nonprofit partners, such as Lawyers Without Borders and the American Bar Association's Rule of Law Initiatives and ABA-CEELI project, to promote justice in emerging democracies with evolving judicial systems. The NITA Foundation builds upon this value through its outreach programs and international partnerships in such countries as Kenya, Japan, Mexico, and South Africa.

Finally, NITA and the NITA Foundation are ardently committed to the idea of a judicial system founded on the concept of fairness and equal justice for all. All of our programs, publications, and activities reflect our commitment to ensuring an even playing field for all those who come before the courts.

Some 38 years later, NITA has grown considerably with more than 200 programs and 6,000 participants each year, reflecting our tireless commitment to justice and excellence. These students join the ranks of thousands of NITA alumni by continuing the NITA tradition of giving back to their communities – local and global.





Our Scholarship Program Ensuring Justice for All

Every year, the NITA Foundation awards scholarships to worthy applicants who have demonstrated their commitment to public service by representing the underserved and indigent in our community. The Foundation works to ensure that our programs are accessible to all with a special emphasis on those working at nonprofit organizations and legal aid offices. Often attorneys engaged in the public interest are working with the most vulnerable of populations – the elderly, disabled, children, and disenfranchised – and with extremely limited resources.

The Foundation has a partnership with Equal Justice Works (EJW), a nonprofit organization committed to creating a just society to mobilize the next generation of lawyers. To support in this effort, the Foundation provided two fellows working at legal aid offices with financial assistance to attend NITA's Deposition Skills Gulf Coast and Southern California Programs in 2009.

"I must thank the NITA Foundation for offering me a scholarship that allows me to attend this unique trial advocacy training. The faculty members who trained us were excellent and indeed advanced my trial skills. NITA is a global leader when it comes to Trial Advocacy and I will use my trial skills to advance social injustice of my country."

- Louis Gumbi of Johannesburg, South Africa, and attendee of 2009 NITA Advanced Advocates Training in Washington, DC

Because we are committed to ensuring justice for all, the Foundation awarded 122 scholarships in 2009 totaling \$185,000. Since our inception in 2003, the Foundation is proud to have provided over \$2.1 million in financial support to scholarship recipients. When you make a gift to the Foundation's scholarship program, your act of generosity is magnified by the work of each recipient in his or her community.

Jim Jeans Memorial Fund

Thanks to the generosity of an anonymous donor, a gift of \$50,000 began an endowment fund in memory of Jim Jeans. Mr. Jeans was one of NITA's pioneers, a lawyer well-known for his brilliant storytelling and teaching style. NITA's community of donors raised over \$24,000 to bring the total endowment to \$74,134. This particular honor is bestowed upon a lawyer championing the interests of his or her clients in the name of "justice for all." This fund provides one scholarship each year for a public service attorney to attend the National Session, NITA's premier training program.

Alston Jennings Memorial Fund

Named for Alston Jennings, an invaluable member of the NITA faculty and former member of NITA's Board of Trustees, this scholarship opportunity celebrates his memory and commitment to the community by providing funds to a worthy applicant from the Little Rock area of Arkansas. Mr. Jennings fought tirelessly to improve the skills of attorneys, especially those working on behalf of the underserved and disenfranchised. Through this scholarship opportunity, the legacy of Mr. Jennings continues to make an impact in the legal community, and in turn, all the lives touched by his generosity and passion for his vocation.

Pictured in the photo are Laurence Rose, President of the NITA Foundation and Melissa Hailey, 2009 Jim Jeans Memorial Fund scholarship recipient.



Our Public Service Programs

The NITA Foundation supports a variety of public service programs that are offered free or for a reduced fee to lawyers working in the following areas: child advocacy, death penalty defense, tribal advocacy, legal services, domestic violence, and international rule of law programs.

Through donor generosity, NITA was able to offer the following public service programs:

- Rocky Mountain Child Advocacy Training Institute: Louisville, Colorado
- Training the Lawyer to Represent the Whole Child: Hempstead, New York
- Legal Services Trial Skills: Louisville, Colorado
- Equal Justice Works Program: Arlington, Virginia
- National Disability Rights Network - Expert Witness Program: Baltimore, Maryland
- North Dakota Trial Advocacy Tribal Program
- Memphis, Tennessee, Outreach for Elder Law Attorneys
- Navajo Nation Trial Skills Program
- Trial Skills for Juvenile Public Defenders: Orlando, Florida
- Plus, additional public service and international programs



Gary LaRance from the Navajo Nation program in November 2009.

"I really enjoyed the whole experience - butterflies, nausea and all! By the end of the week I felt mentally drained but in a good way. I took great pleasure in learning from a great staff, administration, and location. Thank you."

- 2009 attendee of the Navajo Nation Tribal program

Additional programs that were hosted thanks to the support of 2009 contributions helped to serve advocates for the elderly, Native Americans, and juvenile defendants, as well as lawyers for Legal Services Corporation grantees.

Plus, for the first time in its 35-year history, the Legal Services Corporation (LSC) co-sponsored a legal training in 2009 with NITA. The program would not have happened without the financial support of the NITA Foundation and Sullivan & Cromwell. Likewise, the amazing team of instructors who donated time and expertise demonstrated the profession's commitment to providing quality legal representation to all. A group of 74 LSC-affiliated public service attorneys participated and refined their advocacy skills through NITA's "learning-by-doing" technique, allowing each attorney to return to their practice with a renewed approach to advocacy.

"Exceptional training! I would recommend it to any attorney. I learned so much and feel more confident and prepared in my practice. Thank you again for making this available to Legal Services attorneys at no cost!"

- 2009 attendee of Legal Services Corporation program



Cecil Lynn at the October 2009 Legal Services program.

International

NITA's reputation for excellence in advocacy training has spread throughout the world, and we continue to provide our efforts in support of the public interest and promoting ethical and effective advocacy. NITA and the NITA Foundation have assisted advocates from Kenya, South Africa, Japan, China, and Sudan to explore the art of oral advocacy, along with its ethical underpinnings, to create a more just and democratic legal system in their home countries.

Through our relationship with the U.S. Department of Justice, ABA-ROLI, USAID, and Lawyers Without Borders, NITA continues to donate materials and faculty continue to volunteer their time to countries emerging from judicial systems of questionable independence.

In Africa during the summer of 2009, teaching teams including Board members Judge Ann Williams, Mike Ginsberg, and Director of Public Service Education Zelda Harris taught domestic violence advocates in Kenya. In partnership with Lawyers Without Borders, U.S. Department of State, Federation of Women Lawyers, and Center for Rights, Education, and Awareness, NITA and the NITA Foundation expanded upon our work to train Kenyan attorneys and law students who assist victims of domestic violence, female genital mutilation, sexual as-



In the photo, from left to right, is Elizabeth "Lizzie" Shimmin, NITA faculty member and associate at White & Case, and Zelda Harris, NITA Public Service Program Education Consultant. White & Case was a co-sponsor of the 2009 Kenya program.

sault, and human trafficking. Later in the fall, a teaching team including Board members Geraldine Sumter and Ken Broun provided a trial skills program in South Africa, where NITA has taught for almost 30 years. By bringing NITA teaching methods, case files, and materials to Nairobi classrooms and courthouses, we are improving the conditions for women and girls by promoting the rule of law.

Since NITA's inception in 1971, we have supported the work of attorneys and activists across the world to promote the pursuit of justice and to provide human rights for all. We realize that such change only can occur with much preparation, training, and resources. A gift to the NITA Foundation ensures our ability to be a world citizen, championing change and reform in the name of justice.

Listed below are the 2009 international NITA programs and presentations that demonstrate our global commitment to ethical and just rule of law.

EUROPE

- Trial Advocacy Skills: Belfast, Northern Ireland
- Advanced Advocacy and Trial Skills Program: Glasgow, Scotland

AFRICA

- Kenya Advocacy Training Program: Nairobi, Kenya*
- Trial Advocacy Skills: Johannesburg, South Africa*

THE AMERICAS

- NITA Trial Advocacy: Zacatecas, Mexico*
- Basic Trial Skills: Monterrey, Mexico*
- Basic Trial Skills Teacher Training: Monterrey, Mexico*
- Basic Trial Skills: Mexicali, Mexico*
- Basic Trial Skills: Mexico City, Mexico*
- Teacher Training for Spanish Speaking Attorneys: San Diego, California

ASIA

- Online Teaching Presentation by Japanese professors: Louisville, Colorado
- Presentation on Jury Trials: Tokyo, Japan
- Direct and Cross Examination Program: Japan
- CLE presentation: Japan

* The programs in Africa are specifically supported by the NITA Foundation, and the programs in Mexico are supported by the USAID grant program.



From the 2009 Kenya program: AWC and Chief Justice Gicheru and the Honorable Ann C. Williams

Domestic Violence - Ending Violence Against Women



Because we recognize the urgent need to combat violence against women, we offer vital training to lawyers who assist victims of domestic violence, sexual assault, stalking, and dating violence. Our program is uniquely designed to assist these advocates, many of whom are working under the most difficult of circumstances in shelters and safehouses, to effectively represent these victims in the legal system. In 2009, we offered one Trial Advocacy Program and trained 19 advocates assisting victims of domestic violence. This program was funded by a grant from the Office on Violence Against Women, U.S. Department of Justice.

“We cannot allow the best and the brightest advocates with a commitment to public service to become disheartened due to inability to afford professional skills training. We need to provide more in the way of support.”

- Zelda Harris, Clinical Professor of Law, James E. Rogers College of Law, The University of Arizona, and NITA Public Service Program Education Consultant

2009 Individual Contributors

The Foundation wishes to express our deepest gratitude to the NITA community – individuals, foundations, corporations, law firms, and in-kind contributors – who make our programs possible. To those donors who wish to remain anonymous, please accept our heartfelt thanks as well. A special thank you to NITA's volunteer faculty, who taught and mentored countless attendees in public and public service programs.

Every effort has been made to ensure the accuracy of our donor lists. However, if you note that your name is misspelled or omitted, please accept our sincerest apologies and inform us by calling (303) 953-6845. To learn more about joining our family of donors and sponsors, please call the Foundation office or visit us online at www.nitafoundation.org.

“Frankly, because many of us are not independently wealthy, the NITA Foundation enables us to do together what most of us could not do individually: underwrite millions of dollars in scholarships for worthy recipients. Being a part of that is very satisfying.”

- Elizabeth Sher, NITA faculty member and partner of Day Pitney LLP



\$5,000 to \$9,999

Anonymous
 Ronald Cohen
 Philip Corboy
 Michael Kelly
 Ben Rubinowitz

\$2,500 to \$4,999

James Brosnahan
 Barbara Caulfield
 Dwight Duncan
 Michael Ginsberg
 Suzanne Katchmar
 Carl Ossmann
 Elizabeth Sher
 Deanne Siemer
 Susan Ross Steingass
 Geraldine Sumter

\$1,000 to \$2,499

John Baker
 Joseph Bankoff
 James Coleman
 Thomas Geraghty
 Dominic Gianna
 Jeanne Jourdan
 Louise LaMothe
 L. Joseph Loveland
 The Honorable Richard Markus

Richard Schoenberger
 Angela Vigil
 Robin Weaver
 The Honorable Ann Williams

\$500 to \$999

Mark Austrian
 James Brown
 Doris Cheng
 Paul Crist
 Mary Pat Dooley
 Hugh Gottschalk
 Linda Lipton
 James McCrystal
 William McDaniels
 Eric Macey
 Katrina Pflaumer
 Leo Romero
 Anita Royal
 Joan Saltzman
 John Sonsteng
 Jay Young

\$250 to \$499

Daniel Attridge
 Justin Barnes
 Garrard Beeney
 Barbara Bergman
 Jude Bourque

Myron Bright
 F. Stephen Collins
 Michael Dale
 Richard Dehncke
 John Francis
 Maureen Howard
 Joseph Jaudon
 Victoria Lutz
 Tom Schaumberg
 Robert Stein
 The Honorable Nancy Vaidik

\$100 to \$249

Harold Abramson
 J. Robert Ates
 Todd Bailey
 John Baulch
 Ethan Berghoff
 Richard Bethea
 John Bogart
 Lori Borgen
 Dana Bradford
 Kenneth Broun
 William Brown
 Michael Busch
 Evelyn Cannon
 David Carrillo
 Mark Clouatre
 Max Cohen

Nancy Cohen
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Cheryl Wattley
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Jeffery Whitt
Ashley Willcott
D. Brett Woods
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Kevin Young
Michael Yurkanin
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Less than \$100

Henry Billingsley
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David Butsch
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Sandra Johnson
Michael Kelly
Laurence Rose
Terre Rushton
Eleni Sarris
Allen Snyder
Susan Schaecher
Anna Schmöhe
Darla Upchurch



The NITA Foundation worked through iGive.com in 2009 so that people could help raise money for the Foundation by registering with www.iGive.com/NITA and shopping online. Each time a purchase was made at one of the 700-plus merchants connected with iGive.com, a percentage of the amount purchased was donated to NITA. Money was also raised using www.iSearchiGive.com, a Yahoo!-powered search engine where each qualified search earns a penny (or more!) for the NITA Foundation.

Foundation, Corporate, and Government Contributors

August A. Rendigs, Jr. Foundation
Fitzpatrick, Cella, Harper & Scinto
iGive.com
International Society of Barristers Foundation & Board
International Academy of Trial Lawyers Foundation
Office on Violence Against Women, U.S. Department of Justice
Sullivan & Cromwell
The Rose Foundation
William Goldman Foundation
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NITA Advocates Society



Formerly called the NITA Alumni Association, the NAS has been expanded to include judges, lawyers, law professors, and all friends of NITA. Members of the NAS make up some of the best legal minds in the world, and further our work in the legal community by being integral to the mission of fostering effective and ethical advocacy. NITA Advocates support the work of the Foundation with charitable giving above the basic dues membership fees, and all members receive benefits such as discounts on publications and programs. NAS members also sponsor courtrooms, offices, and conference rooms at the NITA National Education Center in Louisville, Colorado. This exclusive naming opportunity provides visibility for donors while promoting the mission of the Foundation. For more information, please visit www.nita.org/alumni or email development@nita.org.

"Think of giving not as a duty but as a privilege."

- John D. Rockefeller

Lifetime Members - President's Club (\$25,000+)

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International Society of Barristers
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Fitzpatrick, Cella, Harper & Scinto
Louise LaMothe
William Hunt
Katrina C. Pflaumer
Ben Rubinowitz
Ann Williams

Due to space limitations, we can only acknowledge NAS memberships of \$1,000 and above in this annual report.



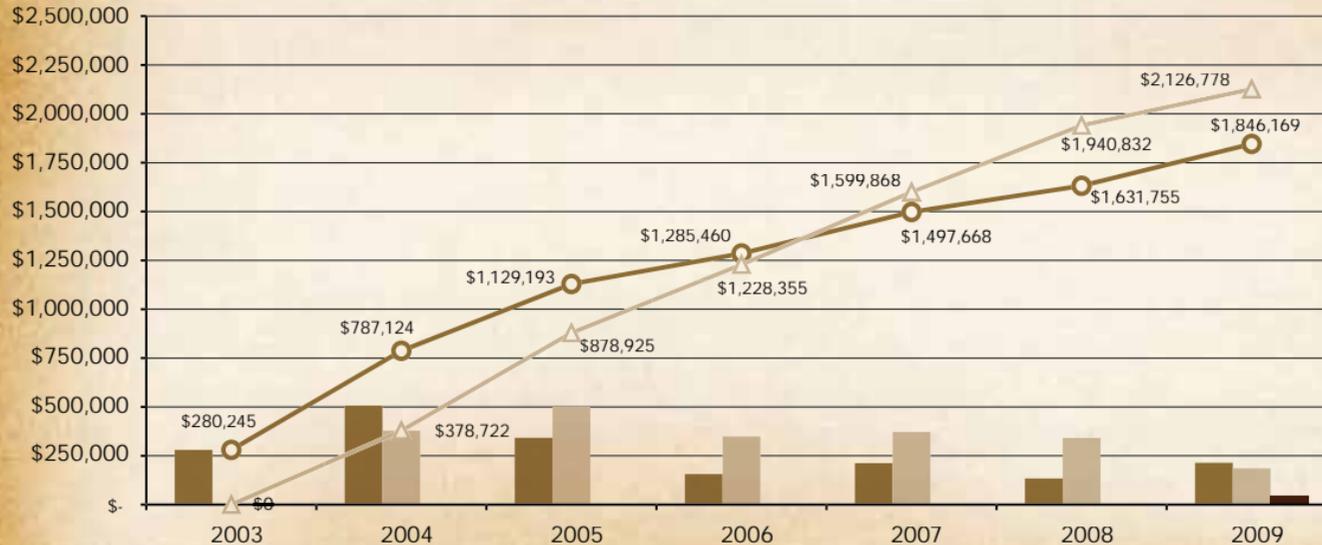
Featured in the photo is Jeanne Jourdan of Legal Services.



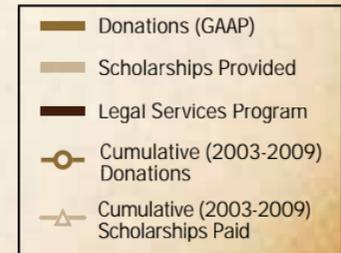
Featured in the photo are the Kenya program participants.

Financial Snapshot

NITA Foundation History of Donations and Scholarships Paid - Inception through 2009



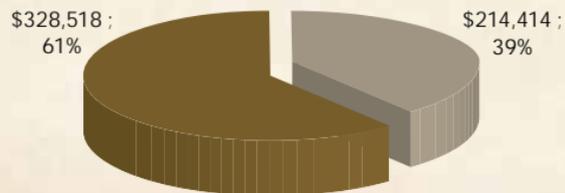
Since the NITA Foundation's inception, \$2,126,778 has been spent for scholarships for NITA, primarily funded through generous donations of \$1,846,169.



Financial Snapshot

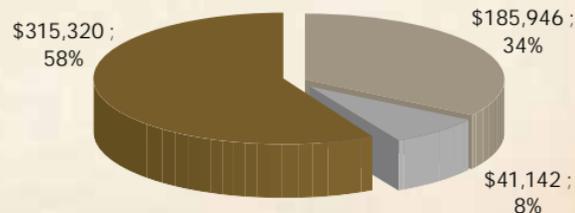
A copy of the NITA Foundation's complete Audited Statements and Supplemental Schedules, along with the Independent Auditor's Report for 2009, is available by calling (303) 953-6845 or by e-mail at development@nita.org. You may also request a copy of our IRS Form 990.

**NITA Foundation's Revenue for the year ended
December 31, 2009**



■ Donation Revenue
■ Earnings from Investment, net

**NITA Foundation's Expenses for the year ended
December 31, 2009**



■ Scholarships Provided ■ Salary & Other Expenses
■ Legal Services Program Support

In 2009, donations of \$214,414 funded \$227,088 in expenditures for Scholarships to NITA programs and funding of costs to host a Legal Services Program. "Salary & Other Expenses" primarily includes senior executive compensation. This snapshot is derived from audited financial statements as of December 31, 2009.

As of July 1, 2010 only Foundation management compensation and other direct Foundation costs will be paid from Foundation funds. The Foundation will continue its practice to allocate 100% of donations to direct Scholarship and Program costs.

How Your Gift Makes a Difference

"After returning from the NITA training, I was immediately confronted with my first jury trial. Thanks to my training, I was able to marshal the facts, organize and effectively use my exhibits, motions, objections and more. Thanks to the confidence I gained at NITA, the jury returned a favorable verdict for my client in under a half an hour. I can't thank you all enough."

- Aaron Esmailzadeh, Attorney, Legal Aid Society of Louisville, Kentucky, & 2009 attendee of the NITA Program for Legal Services Corporation Lawyers

"I'm stunned. I knew I would learn a tremendous amount, but am overwhelmed by the renewed enthusiasm and confidence I gained in the law, and in my practice of law. I hope I can give back in the future, and participate as an instructor at a public interest skills program. Thank you so very much!"

- 2009 attendee of the NITA Program for Legal Services Corporation Lawyers

"I came to this training unaware that the program would be so intense! But throughout the week, each day I gained something new and valuable to me. I met some wonderful people who shared their knowledge with me and for that I am grateful. Thank you!"

- Attendee of Navajo Tribal Program November 2009

"The NITA Foundation recognizes the imperative need of funding the skill advancement of lawyers with financial limitations so that social justice may be more readily achieved. The Jim Jeans scholarship allowed me the opportunity to engage in world-class professional growth and for that I am truly grateful."

- Melissa Hailey, Jim Jeans Memorial Fund 2009 scholarship recipient and staff attorney with WildEarth Guardians in Denver, Colorado

“Put simply, justice cannot be effectively sought - much less achieved - in the absence of competent and ethical advocates.”

- Melissa, a public service attorney and NITA National Session participant



The NITA Foundation

363 Centennial Parkway, Suite 110

Louisville, Colorado 80027-1619

phone: 877.648.2632

email: development@nita.org

www.nitafoundation.org