



United States Attorney's Office
Eastern District Of California
Sacramento Office



*Denotes courses unique to the EDCA

The Eastern District of California's *Criminal AUSA Development Program* is a multi-year, multi-component curriculum focused on providing effective training federal prosecutors. It seeks to:

1. Provide effective instruction and mentoring during an AUSA's first year;
2. Build a foundation from which new prosecutors can exercise prosecutorial discretion wisely;
3. Stimulate the development of sound legal judgment;
4. Accelerate the development of higher level trial abilities during years two through four; and
5. Support career-long learning and skill enhancement.

The program is overseen by the chief of the Training Unit and a Senior Litigation Counsel. Execution of the program components relies on USAO and Department of Justice resources. A new AUSA in the EDCA can expect to receive support through formal and informal relationships throughout the office.

For purposes of this outline, we have divided the program into six, discrete parts. In operation, however, the parts—and the goals of each part—overlap to produce an integrated learning experience for the new AUSA.

New AUSA Orientation

New prosecutors in Sacramento are assigned to the Training Unit. For the first two weeks of orientation, the unit chief accompanies new AUSAs to court proceedings. New AUSAs also are encouraged to observe criminal court calendars and grand jury proceedings with their mentors and on their own.

In the early weeks on the job, new AUSAs receive reading assignments, which include portions of Title 18, selected Federal Rules of Criminal Procedure, and the Sentencing Guidelines. Viewing assignments include videos on discovery obligations, contact with represented persons, and DOJ research and library resources. New AUSAs also receive training on USABook, a unique DOJ resource.

For the first few months, the majority of a new prosecutor's caseload consists of TSR violation petitions, which require less preparation, result in immediate court appearances in the magistrate court and the district court, and allow the new AUSA to familiarize herself or himself with the federal court family.

Mentoring Plan

For the first several months, new prosecutors receive intense supervision from the Training Unit chief featuring daily check-ins and frequent one-on-one feedback focused on substantive and procedural fundamentals. The Training Unit chief regulates the new AUSA's caseload, ensuring that case assignments are appropriate to the prosecutor's level of experience and provide effective training opportunities.

A highlight for new AUSAs is being paired with experienced AUSAs for larger investigations and for a first trial. In trial, new AUSAs play a significant role, often handling half of the witnesses and delivering the closing argument.

At the end of the initial training period, new AUSAs are formally transferred to the White Collar Unit, Special Prosecutions Unit, or Narcotics and Violent Crime Unit. However, integration into the WCU, Special Pros, or Drug Unit begins earlier to make the transfer a seamless step in the new AUSA's development.

Each new AUSA also is assigned a mentor. Mentors are experienced prosecutors with a breadth of experience, sustained outstanding performance, and a proven willingness to assist incoming prosecutors. During the new AUSA's initial 12 months in the office, the mentor performs the following tasks:

1. Works closely with the Training Unit chief to ensure the new AUSA's proper training and orientation;
2. Serves as a resource on policies and practices in the EDCA;
3. Invites the new AUSA to observe various court and grand jury proceedings;
4. Provides guidance on legal research and the drafting of pleadings and briefs;
5. Assists the new AUSA in preparing for critical court hearings, observes his or her performance, and provide constructive criticism; and
6. Provides assistance in developing working relationships with investigating agencies.

New AUSAs also are invited to attend trial team meetings and moot courts to become familiar with other substantive and procedural aspects of the USAO's work.

Prosecution Fundamentals Course

The EDCA has developed a 6-week, 28-module training course taught by members of the USAO. The course covers all aspects of criminal prosecution including investigative techniques, grand jury practice, charging decisions, discovery, motions practice, plea negotiation, guilty pleas, sentencing, appeal, and collateral attack. It also includes survey presentations on cooperating witnesses, white collar prosecutions, human trafficking, OCDETF, law enforcement relations, parallel prosecutions, and community engagement.

National Advocacy Center

The National Advocacy Center is the Department's training facility on the campus on the University of South Carolina in Columbia, SC. The Office of Legal Education hosts courses year-round.

The USAO requires the following NAC classes to be taken within first two years of employment:

Basic Criminal Trial Advocacy Seminar	Discovery “Boot Camp” for New Prosecutors
Grand Jury Practice	Criminal Federal Practice Seminar

The following classes are required to be taken within the first six years:

Intro to Evidence for Criminal Litigators	Basic Money Laundering Seminar
Criminal Appellate Advocacy Seminar	Title III Seminar
Brief Writing for Criminal Litigators	Intro to Asset Forfeiture for Attorneys Seminar

● *EDCA Trial Skills Series*

The *Trial Skills Series* is made up of in-house, interactive seminars focused on advancing and reinforcing specific skill sets beyond the basic trial level within the context of an overall theoretical framework for proving cases. The unique seminars emphasize practical skills through individual and group exercises.

The series covers how to prove elements of an offense (the theoretical framework which underpins the program), developing an opening statement, creating a closing argument, doing a misconduct-free rebuttal, dealing with evidentiary objections, and cooperator testimony, among other topics.

● *Continuing Education & Support*

Criminal Division meetings are an integral part of the USAO’s continuing education program. The Senior Litigation Counsels (SLCs) organize these monthly gatherings of criminal AUSAs across all 3 offices to disseminate critical legal and policy updates. These meetings also include engagement exercises to keep prosecutors on their toes and preserve “continuing education” as a vital part of our office’s culture.

To assist prosecutors in the trial preparation process, we hold trial team meetings in advance of trials. At these strategic planning sessions, the trial team consults with experienced AUSAs, focusing on the mechanics and tactical aspects of the trial. Experienced AUSAs also consult on opening statements and closing arguments, providing critiques to hone the presentations.

Recognizing the importance of the office’s appellate practice, the criminal appellate chief organizes moot courts in advance of every Ninth Circuit oral argument. Colleagues serve as judges. These exercises not only prepare the advocate to confidently face the panel of judges, they provide new and experienced AUSAs alike an opportunity to familiarize themselves with areas of law with which they might be less familiar.