

# WICHITA BUSINESS JOURNAL

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INSIDE REPORT

## LEGAL MATTERS



JERRY SIEBENMARK/WBJ

**Kung fu master Grace X. Wu-Monnat and trial lawyer Dan Monnat rehearse their continuing education program for criminal defense lawyers, "Kung Fu Strategies And The Art of Trial." The husband and wife team will present the program this weekend for the Texas Association of Criminal Defense Lawyers at Padre Island, Texas.**

## Attorney uses martial arts strategies to develop trial techniques

BY JERRY SIEBENMARK

Wichita attorney Dan Monnat is using martial arts to teach lawyers how to handle themselves in the courtroom.

A criminal defense attorney and a partner

in the law firm of Monnat & Spurrier Chartered, Monnat is combining his 24 years of experience as a trial lawyer and his wife's knowledge of kung fu to show lawyers how to prepare for courtroom battles.

Since January Monnat and his wife, Grace X. Wu-Monnat, have presented "Kung Fu Strategies And The Art of Trial" to groups in Kansas City, New Orleans and Vail, Colo. Later this year they will also present it to a

## MARTIAL ARTS: Experts say trial attorney's preparation and flexibility keys to winning court cases

criminal defense lawyers group in Canada.

"It's really just an acknowledgment of what we've been doing for years," Monnat says. "It kind of gives people ideas of how to think creatively about defense in criminal cases."

### Martial arts know-how

Monnat and Wu married in 1992. The two met several years earlier in a Tai Chi class she was teaching at her martial arts studio, Grace Wu Kung Fu School.

Wu has a bachelor's degree in Chinese martial arts from Shanghai Teachers' University (China), and a master's in sports administration from Wichita State University.

A native of China who came to Wichita in 1985, she has been the subject of several articles in national and international martial arts magazines. Her late grandfather, Wang Ziping, is regarded as a legend in Chinese martial arts, as is her mother, Madam Wang Jurong.

Monnat says he has increasingly relied on Wu's help in the courtroom. She regularly serves as a consultant to Monnat during jury selection and trials.

It is Wu's strength in developing strategy that Monnat says he calls on most.

"I have been receiving valuable strategies from Grace for about 10 years," he says. "She's a very wise person."

When he began dating Wu, Monnat says he realized, "I had a valuable, secret weapon."

### Kung fu strategies

So it is that the two combined trial techniques and martial arts to develop their one-hour continuing education program. The groups they typically present to are criminal defense lawyers.

Drawing from principles in martial arts and Sun Tzu's "The Art of War," Monnat and Wu present the program in three sections: Know The Battleground; Know The Enemy; and Know Yourself.

Each section focuses heavily on pre-trial preparation, from researching information about the trial judge, clerks and attorneys to instructing a defendant's family on how to act inside and outside the courtroom.

Interspersed throughout the presentation are visual demonstrations of hand-to-hand

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fighting techniques by Monnat and Wu.

### A good teacher

Attorneys say Monnat is a good trial lawyer to learn from.

"I'm a fan of Dan," says trial attorney Jack Focht, who is beginning his 41st year practicing law. "I think highly of him."

When Monnat began his career as a trial lawyer, he worked under Russell Shultz. Shultz's claim to legal fame came as a member of the team defending Dick Hickcock and Perry Smith, the pair accused of murdering the Clutter family. The case was the subject of Truman Capote's book, "In Cold Blood."

Two of Monnat's high-profile cases included defending Anita Guidry and Jock Sturges.

Guidry was accused of embezzling \$2.6 million from her employer, Wichita Sheet Metal Inc., and charged with 16 counts of bank fraud and money laundering in 1998. She was acquitted of those charges but sentenced to 51 months in prison for tax evasion and fined \$75,000.

Monnat defended Sturges in May 1998, when the photographer was facing a grand jury inquiry on charges of child pornography because of photographs appearing in his book, "Jock Sturges," which was being sold at some local book stores. The grand jury did not indict Sturges.

### Trial lawyer qualities

The reason Focht says Monnat is a good trial lawyer — Focht sends him referrals — is because he has a strong belief in and passion for representing his clients.

"There are certain qualities that a person needs (to be a good trial lawyer), and those are compassion and fire in the belly for the

rights of people," says Focht. "Dan has that fire in the belly."

Lawyers say there's no single successful formula for being a good trial lawyer, although there are certain qualities that the best have in common.

Preparation and flexibility are two, they say. A lawyer who can prepare and be flexible enough to adjust to a whole new set of circumstances in the courtroom tends to have successful outcomes.

**'I think the effective attorneys are the people who you don't know who their names are.**

**They never become the forefront of the issue.'**

### Roscoe C. Howard Jr.

professor  
University of Kansas School of Law

"As a trial goes on, things change," says Roscoe C. Howard Jr., a professor at the University of Kansas School of Law. "Witnesses change stories, people will subtly change their plan of attack. And if you're focused on a set of questions ... what you'll find a lot of the time is you'll run into a brick wall."

Building trust, the ability to make complicated information easily understood, and developing a rapport with jurors are also shared qualities of good trial lawyers, Howard says.

"It's the juror who eventually makes the decision," he says. "When it comes right down to it the person you are trying to convince is a lay person."

And an attorney who is flamboyant and well-known in the community is not always successful in the courtroom.

"I think the effective attorneys are the people who you don't know who their names are," Howard says. "They are orchestrators. They never become the forefront of the issue."

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Focht