

Featured Story

Students craft real-world strategies for lawyers in DePaul's Litigation Lab

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In a class believed unique among U.S. law schools, DePaul law students serve as trial consultants for attorneys litigating an active case.

The College of Law's Litigation Laboratory is the brainchild of Michael Panter, recently appointed associate judge of the Circuit Court of Cook County. An experienced trial lawyer and a 1978 graduate of the law school, Panter designed and launched the class in 2008 while serving as an instructor in the Law School to reach beyond legal theory and allow lawyers and law students to collaborate on a live case.

"For the students, it's an opportunity to see how trial lawyers think and how they persuade a judge or jury. For the lawyers, it's an opportunity to get the perspectives of students who come from a variety of demographic and occupational backgrounds. DePaul's diversity is a real advantage," Panter says. "In addition, the lawyers benefit from the students' intelligence, curiosity and energy. They are especially interested in a fresh perspective on a case that they may have been working on for a long time."



Instructor and veteran litigator James Clark leads students through a courtroom experience.

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[DePaul Litigation Lab](#)



Law students evaluate arguments from practicing attorneys in DePaul's Litigation Lab.

Dean Glen Weissenberger says, "No other law school does anything like this. The Litigation Lab allows students to work with an attorney on the strategy of a live case. Students later get feedback from the attorney on how the case was resolved."

Weissenberger shared the proposal for the class with the university's General Counsel, which gave it a green light after being assured that students would treat anything presented by an attorney before or during class as confidential. "The Litigation Lab offers a unique service to the law firms, and we are giving our students a unique experience," he says. "We're preparing a law journal article that may inspire other law schools to

adopt our model."

Because of his appointment, Panter no longer teaches the Litigation Lab. James Clark, a longtime instructor and a litigator with the Chicago law firm of Schiff Hardin, currently teaches the class. "Initially, I was skeptical that experienced trial lawyers would listen to the opinions of law students, but I've seen the lab work. Our students thoroughly prepare for each class and can be very candid about what the lawyer could do better."

Most of the lawyers who come to the lab have used it before, and there is a waiting list to participate. Trial lawyers are invited to spend a two-hour session and work on cases, such as product liability, insurance and medical defense, employment, intellectual property and probate.

The class's fast-paced demands mirror the real world of litigators. Students often spend weekends reading every word of a case's pleadings, briefs and depositions. "The Litigation Lab helps the students understand how all the pieces fit together in a complex piece of litigation," Panter says. "They learn from great lawyers how to make a persuasive argument." The class also is an opportunity for the students to network with the lawyers, which has led to job offers.

Students serve as mock juries, help prepare witnesses, critique appellate arguments or suggest ways to improve jury instructions or closing arguments. "Lawyers who bring us their cases have considerable discretion in how they'd like to use the sessions as long as they understand the interactive nature of the class and are open to the new ideas the students offer," Clark says. "After we've discussed what worked and didn't work, the students are expected to present the revised argument. At first they blink, but then they get into it."

For each class, a student is designated a project director, who helps the lawyer prepare and provides students with materials in advance of the class, sometimes argues the other side of the case and usually distributes a case-specific questionnaire to determine which points persuaded the students. The project director also collects students' journals on the strategic advice or possible themes for the lawyer. "We call it the 'Care Package,' and it's sent to the lawyer."



Seated in the jury box, students weigh arguments offered by visiting attorneys.

Lawyers, who receive continuing legal education credit, pay a nominal fee for the session with the 12 law students, all of whom have completed an evidence class. "It would cost a lawyer anywhere from \$5,000 to \$15,000 to hire a focus group like this," Panter says.

Students and lawyers also benefit from the participation of nationally known trial consultants, such as Patricia McEvoy of Chicago, Eric Oliver of Canton, Mich., David Ball of Durham, N.C., and Katherine James of Los Angeles.

"This is the way litigation should be taught," Clark says. "We expect students to do what a new lawyer does—to be an engaged part of a litigation team. The lab transitions them from students to lawyers." The class syllabus unapologetically cautions: "Warning! The Litigation Laboratory, like litigation itself, is intense and challenging."