

Law Related Education

The newsletter of the Illinois State Bar Association's Committee on Law Related Education

2024 ISBA High School Mock Trial Invitational

BY SARAH TAYLOR

The 2024 ISBA High School Mock Trial Invitational was held on March 16-17, 2024, at the University of Illinois – Springfield (UIS). Teams representing 50 high schools from throughout Illinois participated in the event. Each team argued both sides of a case involving a motor vehicle crash and alleged violation of Illinois' Scott's Law, and team

members took a written law test.

The first place winner, College Preparatory School of America (CPSA), will represent Illinois at the National High School Mock Trial Competition in Wilmington, Delaware on May 2-5, 2024. In second place was Stevenson High School,

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International Mock Trials Provide a Unique Skillset to Law Students: The Benefits of Traveling Abroad for Mock Trials

BY JESSICA VISAGE

In law school students are presented with opportunities to claim titles and gain experience that will make them more marketable to potential future employers. Things like being on moot court, being on law journal, or holding leadership positions in student organizations are looked upon favorably by employers because they

demonstrate that the student has dedication to the legal profession, experience, and time management skills. In 2023 I was presented with two opportunities, an invitation to be on the moot court board, and an opportunity to register for a legal globalization course. Due to time conflicts, I was forced to choose

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and in third place was Maine South High School.

The top eight teams (in alphabetical order) were: College Preparatory School of America; De La Salle Institute; Maine South High School; Niles North High School; Stevenson High School; Timothy Christian High School; Wheeling High School; and Whitney M. Young Magnet School.

The Donna E. Schechter Memorial Law Test Award for the highest score on the written law test was awarded to York Community High School, and the Civility & Professionalism Award (based on nominations from other teams), was awarded to Nile West High School.

The 2024 Invitational was a success due to the hard work and enthusiasm of these teams and their coaches, families, and other supporters, and the dedication of the ISBA's Standing Committee on Law-Related

Education for the Public and the Mock Trial Coordinator, Katy Flannagan. The Invitational would not have been possible without UIS' willingness to provide a venue for the event, the many judges, attorneys, paralegals, UIS Mock Trial Club members, and others who generously volunteered their time and expertise. We also appreciate the support and sponsorship of the ISBA and Illinois LEARN. We hope to see these teams and volunteers again in 2024, and new teams and volunteers are welcome to join us!!

A full list of participating schools and volunteers, information about volunteering, and general information about the Mock Trial Invitational program can be found on the ISBA Mock Trial website at: <http://www.isba.org/teachers/mocktrial>. ■

International Mock Trials Provide a Unique Skillset to Law Students: The Benefits of Traveling Abroad for Mock Trials

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between the two.

I spent weeks contemplating the benefits of being on moot court and the benefits of taking the legal globalization course. Moot court is often considered to be "prestigious" and makes a law student a more competitive candidate for internships and eventually associate positions. Despite knowing that moot court could give me a competitive edge I could not let the opportunity of traveling to Kenya slip away from me. I declined the invitation to join moot court and I registered for Legal Globalization and Comparative Law: Kenya. After my experience in Kenya I have developed a firm belief that these courses should be more common and that employers should look upon them just as favorably as they look upon programs such as moot court and law journal.

The course was taught by Professor Christopher Behan and Dean Camille Davidson at Southern Illinois University

Simmons Law School. Students were required to prepare and compete in a mock trial that took place in Mombasa, Kenya, using Kenyan law. A unique aspect of the course was that each team comprised of both Kenyan and American students. Traditionally mock trial teams consist only of students from a single school, making the different schools adversaries in competitions. However, in this course, students from Southern Illinois University Simmons Law School were teamed up with students from University of Nairobi School of Law. This collaborative experience allowed students to learn from each other and develop cross culture communication skills.

The course was broken into three parts: preparation, trial, and reflection. In the first part of the class students were assigned their teams and worked to prepare for the mock trial. Through this phase of the class I

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OFFICE

ILLINOIS BAR CENTER
424 S. SECOND STREET
SPRINGFIELD, IL 62701
PHONES: 217-525-1760 OR 800-252-8908
WWW.ISBA.ORG

EDITORS

Theresa M. Lechner
Brittany Jenay Shaw

PUBLICATIONS MANAGER

Sara Anderson
✉ sanderson@isba.org

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was able to gain and build on several skills. I learned about Kenya, the culture, and the history so that I could be prepared to work with a team that consisted of people of a different culture. To do this I read a novel titled *Dust*, written by Yvonne Adhiambo Owuor. This book highlighted some of the major historical events in Kenya, giving me a starting point for a deeper dive into Kenya's history and culture.

When teams were assigned we were instructed to schedule our own meetings with our team members on a regular basis. Because Kenya is eight-hours ahead, scheduling meetings required flexibility and working outside of our traditional time frames. For me, this meant waking up at 5:30am on Mondays so that we could meet at 6:00am via video calls. In our meetings we reviewed the case file for the mock trial and worked on assignments. This aspect was not too different from preparing for a mock trial in the United States, but it required an understanding of Kenyan law.

Through this process I learned that in Kenya there are no juries. Judges are the trier of fact and therefore the way the case is argued is substantially different. It was like combining aspects of mock trial and moot court together. Not only were we expected to conduct direct and cross examinations, but we were also expected to argue case law and precedents in our closing arguments. In our teams we divided up tasks and responsibilities so that we could complete a case analysis, develop case strategies, and prepare our opening and closing arguments. This required good communication so that we could develop a case strategy that was cohesive and consistent from start to finish.

In March of 2024 we embarked on our journey to Kenya. After nearly 18 hours of flights, we landed in Nairobi, Kenya. For the first three days we had a schedule packed full of activities. We learned about animal conservation, we traveled to various cities, and we were given a tour at the Supreme Court of Kenya. We then traveled to Mombasa by train to meet with our teammates and prepare for the mock trial. As I stepped off the train in Mombasa I was submerged in the heat and humidity. The next day we went to the university building

to meet our Kenyan counterparts. As we walked in the building, not surprisingly there was no air conditioning. There was a dampness lingering on my skin, and everyone else's. We were guided through the hallways, up a flight of stairs, down a flight of stairs, and finally to a room that had an air conditioning unit. In there our teammates waited for us. Some of them had also traveled from various parts of Kenya so that they could participate in this mock trial with American Law Students.

In Kenya law students are given some experiential learning through a course they call moot court, but this was an additional opportunity for students to build on their skills and experience before going to Bar School. My team only consisted of three people, myself, another American student, and one Kenyan student, Ahmed. He was eager to be an advocate and I could tell he loved every aspect of being in the court room. He was excited to learn, not just compete. The three of us worked together, going through our questions, reviewing our strategies, and reading our arguments. We looked at the case law and Ahmed explained to us how arguing case law at the end of the trial should look. I had to listen intently and closely to make sure I didn't misunderstand or mishear anything. A language barrier existed and even though English is one of the national languages of Kenya, there was still the accents and dialects of English that forced us all to be patient and considerate of one another. We had to explain in further detail at times when one of us did not understand, and we could not hesitate to ask for clarification. Communication is a skill, and learning how to communicate when a language barrier is present is an invaluable skill.

Around mid-day we were expected to go out to lunch with our teammates. In the United States this would seem a common practice and would likely not be notable. We visited Kenya during Ramadan, and Islam is the most prominent religion on the coast of Kenya, which meant many of our teammates were fasting. We stood outside and the mosque across the street began the call the prayer. Ahmed explained that he would be going to prayer and that he would meet

with us after lunch. Another Kenyan student offered to take us to a place to eat and see some of Mombasa. We talked, we laughed, we enjoyed some food and ice cream, and then returned to the university building where we could continue working for a little bit longer.

The following two days were dedicated to our mock trials. We competed in the preliminary rounds at the university building and the evening after the preliminary rounds, instead of returning to our resort, we stayed in town with our teammates to celebrate *Itfar*. *Itfar* is the fast-breaking meal which takes place at sundown. At this time the streets of Mombasa are alive. A Kenyan student from another team hailed several tuk-tuks (vehicles similar to cabs but more like three-wheelers with covered seats on the back), and we were driven to a local restaurant. Having an opportunity to see the city and experience the culture gave me a new perspective. As I sat looking at all of us, taking up nearly the entire outdoor seating at the restaurant, I thought about how incredible it was that we were all sitting, laughing, and talking together. People from different countries, with different worldviews, different upbringings, different perspectives on so much, enjoying one another's company. In that moment the only thing I could see was what a beautiful world we live in to have these opportunities.

The final round for the mock trial was held in an actual court room at the courthouse in Mombasa. It was incredible seeing our work come together and it gave us the opportunity to recognize where we could improve. Those of us who did not move onto the final round were able to watch the final teams compete. After the final round we did an award ceremony and then loaded on a bus to go to our destination for our last night in Kenya.

That night I floated around in the pool, looking at the clear night sky, thinking about how this trip gave me a whole new perspective, on life, on being a lawyer, on the court systems, and on education. I felt humbled and grateful. What a beautiful world we live in, what a difficult world we live in.

After our arrival back in the United States

we began the third portion of our class, the reflection. This portion requires an essay that reflects on an aspect of Kenyan law that we found interesting. This part of the course requires that we reflect on our experience and compare and contrast US and Kenyan legal systems.

Throughout this experience I developed a greater comfort in the court room because being in a different country, arguing law in a different legal system, required me to be uncomfortable first. I had to learn about this entirely new system and culture in order to develop enough comfort to perform a mock trial in front of them. I have talked with employers, attorneys, and judges before, and they have all told me that the greatest

benefit of doing moot court and mock trial is developing a sense of comfort and confidence in the courtroom. That is why I believe that law students would benefit from international mock trials, and why employers would be wise to assign just as much prestige to international mock trials as they do moot court teams and competitions.

I also developed a greater understanding of diversity, inclusion, and cross-cultural teamwork. Cross-cultural communication is a necessary skill for attorneys, and this is one of the best ways law students can develop that skill. Not only are we given the opportunity to communicate with people from different cultures, but we are working with them as a team with a common goal

in mind, as opposed to being adversaries. This type of experience creates the types of attorneys we need. Employers would benefit immensely from hiring attorneys with a diverse mock trial experience.

International mock trials are so much more than a mock trial competition. They are an experience that creates passionate attorneys with a diverse skillset. These courses create skills that go beyond comfort and confidence in the courtroom by helping students develop new perspectives. Most importantly though, students who participate in international mock trials will apply those experiences and cultural understandings to their lives and their law practice. ■

ISBA Mock Trial Competition: A Volunteer's Perspective

BY R. NICHOLAS BURTON

The Illinois State Bar Association offers Illinois high schools the opportunity to establish mock trial teams to compete in regional and final state-wide competitions. The experience that students obtain in the preparation and performing in hypothetical criminal or civil trials is valuable not only for students who may intend to become lawyers but also for any student who wishes to hone his or her intellectual and speaking skills. The ISBA Mock Trial program involves countless hours of planning and work by ISBA staff and committee members creating hypothetical trial facts, handling logistics of the competitions, and the amassing of a sufficient number of volunteers to make the competition meaningful and valuable to the students on the mock trial teams.

I have served as a volunteer in three state-wide mock trial competitions held in Springfield. My role was as a juror/evaluator. Generally there are four or five juror/evaluators in each trial involving two high schools, each representing one side of the trial parties, plaintiff or defendant, or as state

of Illinois and criminal defendant. Let me say that I found the experience as a volunteer to be absolutely fantastic. Seeing the bright high school youth on the various teams gives evidence that the future of this country is in good hands. We jurors/evaluators get a lot more out of the mock trials than do the students, as we are allowed the privilege of seeing fine young people in a setting which showcases their verbal skills and intelligent thinking. I am 76 years of age, am retiring this year after 51 years as a lawyer in private practice, and have found that the mock trial program has given me a great deal of personal peace in seeing these fine young people at work. It would be great if more people could see these excellent high school students at work.

The mock trial competition gives the mock trial team members an opportunity to interact with judges and lawyers throughout Illinois who will see the trial teams in action and then provide feedback in the way of comments and suggestions. I would strongly encourage high schools to establish mock

trial teams if they have not already, as it will provide a valuable educational experience with the elaborate structure of competition being taken care of by the Illinois State Bar Association. Also, I encourage volunteer participation which is open to legal and non-legal personnel. I assure you that it will change your life ■

*R. Nicholas Burton
Attorney at Law
224 N. Summit Ave.
Decatur, IL 62522
(217) 433-2064
rnburton@outlook.com*