

FROM CLASSROOM TO COURTROOM

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AAJ LAW STUDENTS NEWSLETTER

Endowed by Leesfield Leighton & Partners, P.A. Miami, FL

SPRING 2009

IMPORTANT DATES

FEBRUARY 7–11

AAJ 2009 WINTER CONVENTION, NEW ORLEANS, LA

February 7 – How to Survive Your
1st Convention

Opening Reception

February 8 – Minority Caucus
Reception

New Lawyers
Division Party

February 9 – Law Students/
InjuryBoard Reception

FEBRUARY 27–MARCH 1 2009 STAC REGIONAL COMPETITIONS

APRIL 2–5 2009 STAC NATIONAL FINALS



AMERICAN
ASSOCIATION *for*
JUSTICE

Formerly the Association of Trial Lawyers of America (ATLA®)

Message from the Chair

By Donald H. Beskind

Twiggs, Beskind, Strickland & Rabenau, Raleigh, NC



Dear Law Students:
I joined AAJ more than 30 years ago.
It was the best professional decision I
ever made.

Since I have been an AAJ member, I have won a case for a client because of a theme that came right from *TRIAL* magazine. At AAJ seminars and conventions, I have met friends who are among my closest friends in the world and who will be important in my life long after I retire. These are the people who cheer my clients' victories and commiserate with me about my losses. On AAJ list servers, I have had access to a knowledge base of my colleagues' experiences and wisdom available nowhere else. With AAJ, my wife and I have been to China and seen what passes for a trial. AAJ's fabulous legislative team has protected my clients from legislation that would have eliminated their rights or reduced their remedies. Through AAJ I have had access to the AAJ Exchange, a data bank which is an unmatched resource for pleadings, experts, and case related material. That's why connection to AAJ is the most important connection I have.

You're smarter than I was. You joined AAJ even before you got out of law school. Maybe you are going to be a plaintiffs' lawyer—maybe not. Being an AAJ law student member was still the smart choice. As a student member, you have access to mentors, employment opportunities, AAJ conventions, and local AAJ members where you go to school or want to work. AAJ mentors and members don't just know the plaintiffs' bar; they can connect you to the civil and criminal defense bar, prosecutors and business litigators.

Even before you graduate, AAJ helps you sharpen your trial skills. As I write this, we are putting together this year's AAJ STAC (Student Trial Advocacy Competition). Law student members of AAJ can compete in the competition. This year's problem is nearly complete, and I promise it will be both exciting and challenging.

(continued on page 3)

Spotlight on STAC

For over 25 years, The American Association for Justice has hosted an annual national mock trial competition. With over 135 law schools across the country participating every year, AAJ's Student Trial Advocacy Competition, or STAC, has grown into the premier national mock trial competition in the country.

Each spring, 14 different regions around the nation welcome students as well as their coaches for the competition. The popularity of the competition is due in part to the fact that it is such an exceptional opportunity for law students to develop and practice their trial advocacy skills before distinguished members of the bar and bench. AAJ's mock trial cases are always civil cases and tend to deal with products liability, personal injury, medical malpractice, or negligence issues. Teams are judged on their skills in case preparation, opening statements, use of facts, the examination of lay and expert witnesses, and closing arguments.

The success of the competition also lays greatly in part with the AAJ members serving as regional coordinators in each of the different regions. For an entire weekend, these folks manage every aspect of the competition. Their dedication and effort make STAC what it is every year. Linda Fermoye Rice, who has coordinated the Santa Monica, CA region for over ten years, said: "Every year I think maybe I should back off a little bit on this project. I don't. It is just too important not to do it."

Once all the teams have competed in the regional competitions, it is off to the national finals for the regional winners. In 2008, Cumberland School of Law from Birmingham, AL beat out 13 other teams to take home the first prize at the national finals in West Palm Beach, FL. In his 17th year of coaching for STAC, Michael V. Rasmussen led the team to victory.

What also makes STAC such a special event is the great sense of camaraderie among everyone involved. Many of the coaches know each other and are well acquainted with the regional coordinators. In turn, you even have some law students who have participated in the past return to the competition in a coaching capacity. "I look forward to STAC every year. It is a wonderful opportunity to catch up with old friends and colleagues", said Steve Emens, long-time coach for the University of Alabama School of Law.

The 2009 regional competitions will take place February 29 through March 1. 224 teams will compete to see who will make it to the national finals. As always, the competition is open to law schools nationwide and all law students are eligible to compete just as long as the competition counts toward their credits for graduation and they will not be admitted to practice prior to March 2009. If you would like to learn more about the competition, please visit the AAJ Web site at www.justice.org/lawstudents. ■

Deadline for Scholarship Applications Coming Soon!

AAJ offers several scholarship opportunities to its Law Student members:

- Elaine Osborne Jacobson Award
- Alia Herrera Memorial Scholarship
- The Richard D. Hailey Law Student Scholarship
- Trial Advocacy Scholarship
- Leesfield Scholarship

To learn more, visit www.justice.org/lawstudents

AAJ on Campus at the University of Arkansas

By **Sach D. Oliver**, Member of AAJ Law School Committee, Bailey & Oliver, Bentonville, AR
and **Drew Dixon**, President of AAJ Law Student Chapter, Fayetteville, AR

The AAJ Law School Committee is working diligently to spread the value of our civil justice system to law students. As part of the “AAJ on Campus” program, different trial lawyers are invited to speak to law students at different law schools across the country.

On October 14, 2008, AAJ, in conjunction with the Arkansas Trial Lawyers Association, welcomed Ralph Cloar, long time AAJ member and Vice Chair of the AAJ Budget Committee, to the University of Arkansas School of Law in Fayetteville, Arkansas. Mr. Cloar, a 2006 Mid-South Super Lawyer, has been practicing law in Arkansas for more than thirty years. A dedicated member of both organizations, Mr. Cloar took the time out of his busy practice to drive more than three hours from Little Rock to Fayetteville to speak to the audience of law students.

At the meeting Mr. Cloar spoke to the students about the advantages of being a member of AAJ. He also discussed the history of AAJ saying, “On August 16, 1946, a group of nine plaintiffs’ attorneys involved in workers’ compensations litigation met in a hotel room at the Heathman Hotel in Portland, Oregon....Now as one of

the world’s largest trial bar, AAJ promotes justice and fairness for injured persons, safeguards victims’ rights—particularly the right to trial by jury—and strengthens the civil justice system through education and disclosure of information critical to public health and safety. With members worldwide, and a network of U.S. and Canadian affiliates involved in diverse areas of trial advocacy, AAJ provides lawyers with the information and professional assistance needed to serve clients successfully and protect the democratic values inherent in the civil justice system.” At the conclusion of each of his stories, Mr. Cloar made it a point to show the students the lifelong friendships he has made as a member of AAJ, saying “I met some of my best friends in the world because I was a member of AAJ”. Although his stories covered a wide array of topics, each one showed students the benefits of a fair and effective justice system.

The meeting was a huge success as it was attended by more than 50 law students. For the ones who were not familiar with AAJ and its mission, this was a great learning experience. This event also provided a continued sense that all must be done to protect our civil justice system. ■

MESSAGE FROM THE CHAIR continued from page 1

As a part time law professor, I hear from my recent students that it’s a very lonely world out there after law school. One of the great things being an AAJ law student member does for you is make you a person with whom people want to connect—at conventions, at education seminars and at state trial lawyer events. My daughter just graduated from law school and is off starting her career as a trial lawyer. An important piece of advice I gave her when she entered law school was that success is, in part, about

being in the right place at the right time. AAJ is the right place. The right time is while you are in law school. Find me at meetings and introduce yourself. Email me at beskind@nctrial.com if I can be helpful. And if I can’t help you, one of the great people I’ve met through AAJ can. Stay connected to AAJ in law school and afterwards, it will be your best professional decision, too.

There’s no more interesting and satisfying career than representing plaintiffs—and there no more valuable and important resource to plaintiff’s lawyers than AAJ. ■

Networking on Steroids: My AAJ Annual Convention Experience

By **Bryan D. Smith,**

University of Akron Law 2010



Networking on steroids...that the shortest description I can come up with for a student attending the AAJ Annual Convention in Philadelphia last summer. At the very first CLE class, a gentleman approached my roommate and I to introduce himself. He was a trial attorney from New

Orleans and once he learned we were law students, he sought us out every time he saw us to ask how we were doing, and if we needed any help. He also recommended several CLE classes to take. I came in contact with more senior partners at one dinner in Philadelphia than in two years at law school. I also had the chance to attend the Ohio delegation's reception and dinner, where I was introduced to lawyers from my own state. As I told my family when I returned, it was every law student's dream event! The plaintiff's bar has taken a beating in the public eye, and the attorneys at the convention were happy to see law students show an interest in protecting the rights of the injured through litigation.

If litigation interests you, this convention has your name

all over it. I spent three days bouncing from one CLE class to the next...all focused on various trial topics. I am a part time law student who works full time, and have attended my share of conventions for my employer. In my ten years of work, I've never attended a conference that had such excellent speakers that each had something valuable to say. I listened to nationally known attorneys give their advice in presentations on how to advance justice for their clients. I also got a chance to hear what Mississippi Supreme Court Justice James E. Graves, Jr. was looking for in an appellate brief. (Passion, simplicity, brevity, commonality, and conviction, in case you were wondering.) The common thread through each of the classes that I attended was rich content, expertly presented. (After all, these were trial attorneys!)

The convention also provided an opportunity to meet with law students from all across the country...New Mexico, Florida, Georgia, and DC on my trip. While obviously not the focus of the trip, it was a chance to talk to other trial focused individuals, compare litigation programs, and form friendships. I hope to attend the conference again, possibly again as a student, and certainly as a practicing attorney. ■

AAJ on Campus Across the San Francisco Bay Area

By **Ingrid M. Evans,**

Member of AAJ Board of Governors,
Cochair of AAJ Class Action Litigation Group,
Waters & Kraus, LLP, San Francisco, CA

In an effort to generate interest among law students in choosing a career as a trial lawyer and representing injured consumers, I have organized a series of law student presentations entitled "A Career as a trial attorney: protecting consumers through public interest litigation" in the San Francisco Bay Area. The first presentation was held on September 24 at U.C. Hastings

Law School to a group of about 30 law students and was very well-received. Consumer Attorneys of California (CAOC, California's state trial lawyer organization) President-Elect, Chris Dolan of the Dolan Law Firm was spectacular. He motivated and inspired students by talking about the importance and successes he has had in

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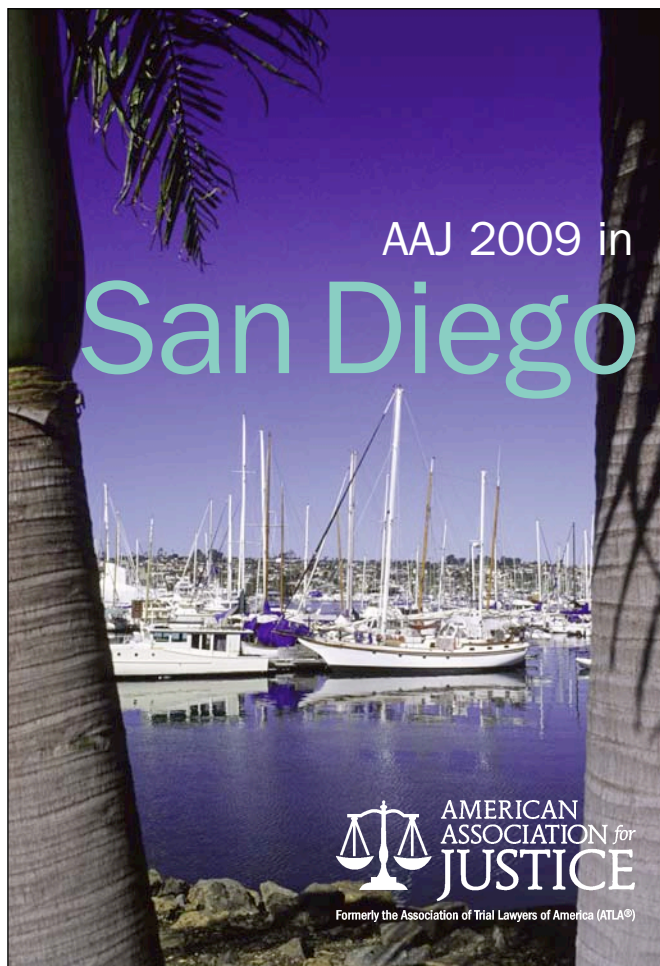
AAJ ON CAMPUS continued from page 4

representing injured consumers (the fact that he has the largest national verdict for an individual racial discrimination case speaks to what an amazing trial lawyer he is). We also heard from Gary Gwilliam, an active member of AAJ and past president of CAOC. He talked about the importance of joining both the state and national trial lawyer organizations and explained what they do to protect our practices and consumers from special interest, corporate-sponsored legislation. Lastly, Vicki Ni, staff attorney for Public Justice, spoke about the importance of protecting consumers from the adverse consequences of binding arbitration, class action bans and other abusive provisions in contracts of adhesion that are becoming more prevalent in all of our daily lives.

Other law student presentations were held on October 15 at McGeorge Law School in Sacramento, CA and October 16th at U.C. Berkeley, Boalt Hall Law School. Althea Kippes, an active member of AAJ's law school committee, myself, AAJ Board of Governors member, and Lori

Sarracino of CAOC spoke to an audience of McGeorge law students. Longtime AAJ member and activist Gerson Smoger, Gary Gwilliam, Leslie Bailey, staff attorney at Public Justice, spoke on October 16 at Boalt Hall Law School. On October 28, AAJ members Tom Brandi, Jim Sturdevant, Robert Arns, and Elise Sanguinetti spoke to the crowd of law students at the University of San Francisco Law School. On November 6, AAJ members Amy Eskin, Althea Kippes, and Gary Gwilliam traveled to Golden Gate University to make their presentation.

It is imperative that we educate and encourage law students to join our state and national organizations. As members of AAJ and especially as members of AAJ's Board of Governors (BOG) and New Lawyers Division (NLD) BOG, we encourage you to set up talks for law students about your practice and the importance of AAJ. We have found that this can be especially effective if there is an upcoming Convention, educational seminar or phonathon in the area near the date of your talk so that you can invite them to join you at the event—active members of AAJ tend to stay involved. ■



Looking for a vacation destination this summer that is both fun and educational?

Plan a trip to beautiful San Diego for a tremendous learning and networking opportunity all the while experiencing the unique sights of the city! Come see what the buzz is all about at the **2009 AAJ Annual convention in San Diego, CA!**

Take advantage of special AAJ law student registration pricing

- Attend cutting-edge educational programs and gatherings specially designed for law students
- Build relationships with some of the top trial lawyers in the country and get their insight and tips—and learn about what AAJ is doing to help support the work of trial attorneys seeking justice for their clients
- Cut loose and mingle the night away at numerous social gatherings

This will surely be an experience you will benefit from throughout your law school years and beyond.

For more information and to register online, visit **www.justiceannualconvention.org**

On Trial Lawyers

By **Stephen J. Hug**,
University of Ottawa Law School



There is little doubt that trial lawyers are not the most popular group of people. The idea that frivolous lawsuits, brought by overzealous and money hungry plaintiff's lawyers, are driving up costs and hampering economic growth has become part of the conventional wisdom. The common use

of terms such as "ambulance chaser" and the fact that both presidential candidates have emphasized the importance of tort "reform" are telling about the place of the trial lawyer in modern society.

Although I have always believed that lawyering is a noble profession, I must admit that I have not been completely immune to the persuasive power of the propaganda regarding trial lawyers. Having been driven to law school, at least in part, by the dismal employment prospects that I would have faced as a "political scientist," when I enrolled in law school, I was less sure about the type of law that I wanted to practice when I graduated than I was about the fact that I did not want to be a trial lawyer. After all, a trial lawyer had ensured that a woman who had spilled hot coffee on herself while enjoying some fine McDonald's cuisine collected a jury verdict that would shock the conscience of even the most generous person—or so I thought. Fortunately, as I matured and became better acquainted with the law, I started to realize that much of the rhetoric concerning plaintiff's attorneys, runaway juries, and activist judges is as empty as an ice cream parlor during a snowstorm.

Any lingering reservations that I had about the scruples of the trial bar were dispelled after I attended the American Association for Justice's Annual Convention in Philadelphia as a Partnership in Advocacy Scholar. The attorneys that I met while at the convention all had one thing in common: a deep concern for their fellow human beings. Not only were they interested in healing their

clients, they seemed sincerely interested in empowering and protecting everyday Americans as well. By the end of the convention, it had become clear that being a trial lawyer is not about drumming up lawsuits to line one's bank account. On the contrary, it's about working to protect the public from the excesses of corporate power by cultivating a culture of accountability while seeking justice for one's clients. Although recent career developments have led me towards the regulatory field, today, I would be proud to be called a trial lawyer. ■

2008–2009 LAW STUDENT EXECUTIVE COMMITTEE

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