

Professor Lawrence Lessig on Political Corruption  
Judicial Independence: An Essay by Justice Sandra Day O'Connor '52 (BA '50)

# STANFORD LAWYER

BEYOND THE  
LAW

JDS  
IN ALL WALKS  
OF LIFE

SPRING 2008



# MOCK TRIAL: SHARPENING ADVOCACY SKILLS

By Sharon Driscoll

I

t was a standard repositioned gone wrong—the sorry tale of “Mr. Simpson,” a man in over his head and unable to make his car loan payments, and the muscle man, “Dakota Smith,” who was shot and killed while trying to repossess the car. But did Mr. Simpson kill Mr. Smith? • Officer “La Duke,” aka Josh Weddle '10, described the crime scene for the judges, and a (paper) gun he allegedly found at the scene was presented as evidence. The attorneys representing the plaintiff, Mark Baller '08 and Kevin Rooney '09, went in hard challenging the officer's recollection of events. • “Counsel is trying to improperly impeach the witness,” objected Jordana Mosten '10, representing the defendant. • But “Judge” Todd Theodora, founder and senior partner of the Southern California law firm Theodora, Oringer, Miller, and Richman and former attorney for Monica Lewinsky and for the Anaheim Angels, said he'd give opposing counsel leeway and reserved his ruling. • “Objection, your Honor,” said Mosten. “Counsel is reading the deposition improperly.” • And so it went. Testimony was given, evidence presented, cases made at the January SLS Mock Trial Invitational. The students, many of them members of Stanford Law School's student-run mock trial program, had spent hours prepping for this moment—readying to try their hands at “real” trial work. With 64 students representing 12 law schools from across the country and 60 judges presiding, all volunteers who gave up their weekends to help train this next generation of lawyers, the competition was fierce—and realistic. • “Mock trial was by far the best part of my first year at SLS,” says Alisha Beltramo '09, an aspiring trial lawyer. “It was wonderful stepping out of reading cases to do something that I knew I wanted to do. I also found it was something that I was good at, which was a respite during the first semester, when it's hard to feel like you're good at anything.” • The Stanford Law School Mock Trial Program was founded in 2003 by two students with mock trial experience to provide their fellow students with the opportunity to develop a high level of trial proficiency while still in law school. Each year, approximately 35 law students try out for this student-run organization, each submitting a video audition, which is then judged by “wizards”—former members of the program whose identity is kept secret. About 25 students make the cut. • “We are student-run and this is a small school, so it makes sense to have the judging done anonymously,” says Ben Ratner '08, the program's current president.

After putting in many hours training and developing their skills (more experienced students train new students and various experts are brought to the school for workshops), the teams—seven in all—spend the spring semester traveling to competitions including one of the oldest in the country, the Texas Young Lawyers Association (TYLA) National Trial Competition, and their own SLS-sponsored invitational. Last year, a Stanford team captained by Jeremy Presser '08 won the regional TYLA competition and earned fifth place at the nationals. And SLS dominated the competition at this year's invitational with its teams taking first and third place overall as well as the coveted “best lawyer” award, which went to Jonas Jacobson '09. To prevent favoritism, the teams are not identified by their school but by a number, so it is a blind judging, according to Ratner.

While participation in the program requires a significant time commitment—with many students spending hours a day preparing for trials for weeks in advance—there are some tangible rewards.

PLEASE SEE PAGE 88



BEN RATNER '08 AND ALISHA BELTRAMO '09

I  
N  
F  
O  
Q  
U  
S

