



ORDER IN THE CLASSROOM

The School of Law's many advocacy programs bolster legal learning by exposing students to what goes on when court is in session.

BETTY LYNNE LEARY

Under the watchful eyes of law students from across the country, a member of the University of Maryland trial team outlines his case during a national competition. A judicial clerk toils for hours researching a single point of law while another student prepares for a court visit by downloading briefs from the School of Law's Website. These students and recent graduates at Maryland are taking their legal education to a higher level by participating in one of the School's advocacy programs, opportunities designed to teach students how to apply the knowledge they learn in the classroom.

"Effective advocacy programs reinforce the learning acquired in the traditional curriculum and allow students to apply their knowledge of substantive and procedural law," says Professor Jerome Deise. "We want our students to be problem-solvers, and our advocacy program provides many opportunities for students to become just that."

THE VIEW FROM CHAMBERS

Few advocacy experiences rank as highly as a post-graduate clerkship. The experience is so highly sought after that in 1997, the School of Law hired Teresa Schmiedeler to serve as director of judicial clerkships and public interest programs. Schmiedeler acts as a full-time counselor and promoter of clerkship opportunities to students at the School of Law, streamlining the application and interview process and promoting the benefits of clerking.

"Clerking provides an incomparable opportunity to learn from a skilled jurist and to learn the inner workings of the judicial system," Schmiedeler says. "A clerkship is an excellent step in a legal career, and students gain an edge in finding jobs in both the public and private sectors." Graduates from Maryland fare well in landing post-graduate clerkships. In fact, the number of students serving as judicial clerks has soared each year (24 percent of the Class of 2002) while the national average for law school grads hovers around 12 percent.

"I knew spending an entire year doing legal research and writing would make me a more valuable lawyer to a law firm or any other employer," notes Gregory M. Bedward '99. "Specifically, there are intangibles that you do not learn in law school that are learned by spending time with a

judge, such as, how to conduct yourself before a judge and how to advocate effectively for your client.”

Bedward, who now practices with Venable, LLP, in Baltimore, clerked on the Maryland Court of Special Appeals for the Hon. Andrew L. Sonner, where he conducted legal research and drafted opinions on the various issues brought before the court.

“I learned a great deal about research, writing and client advocacy,” Bedward explains. “The clerkship gave me the opportunity to delve into each case and form a reasoned opinion without the time pressures associated with law school. I developed a solid relationship with my judge which allowed me to learn more about appellate advocacy and professionalism.”

For students seeking experiences during the academic year, the School of Law offers the Asper Program, also coordinated by Schmiedeler. The program allows students to earn credit for work with a public service organization or with a judge and provides yet another

Baron’s experiences are the ideal that Schmiedeler strives for each day, and she points to the success of both the Asper and clerkship programs as a testament to the legal talent of Maryland’s students.

“Judges need clerks with strong analytical, research and writing skills,” says Schmiedeler. “Our students are given tremendous opportunities to develop those skills; therefore they are highly successful in the clerkship process.”

HOSTING THE COURTS

In another component of Maryland’s multifaceted advocacy program, students and alumni enjoy a rare opportunity to interact with members of the judiciary during visits by the Court of Special Appeals, the U.S. District Court, and the U.S. Court of Appeals for the Fourth Circuit. Coordinated by professors Steven Schwinn, Susan Hankin and Lawrence Sung, the visits provide an unusual opportunity for students to observe



excellent training ground for legal analysis, research and writing.

Third-year student Stephanie Kaye Baron took advantage of the Asper Program not only to gain experience but also to help her focus on career choices.

“I really liked the idea of gaining practical experience while in school, and it’s a great chance to work and get credit at the same time,” Baron says. “The Asper also was a great chance to learn more about several areas of law that I might not otherwise have been able to study.” Baron prepared bench memos during her Asper experience for the Hon. Diana Motz, U.S. Court of Appeals for the Fourth Circuit in Baltimore.

Upon graduation, Baron will begin a clerkship for the Hon. James Eyster on the Court of Special Appeals of Maryland in Towson. She hopes to continue to improve her research and writing skills, learn more about substantive areas of the law, and the process of appeals in the state of Maryland.

“One of my goals at the start of school was to have as many different experiences as possible while here,” Baron says. “I will have the opportunity to compare all my experiences, understand the differences between the courts, and get to know as many judges and attorneys as possible.”

arguments and learn about the workings of the courts.

“Combining court visits with our educational program is a wonderful thing for the law school,” Schwinn says. “It’s good community relations, good for our alums, and great for the students to observe something they otherwise might not experience.”

When the Court of Special Appeals visited the School last fall, students and alumni filled the Ceremonial Courtroom to capacity to hear arguments. Following the arguments, the lawyers and judges met with the students for a question-and-answer session that was very well-attended.

“The students were delighted to have the opportunity,” Schwinn explains. “Unless a student has a clerkship, this is one of the few chances to interact with a judge and have a window into the judicial process.”

Both the Fourth Circuit and the U.S. District Court visited the School of Law in February and the judges and attorneys also spent time with students. In conjunction with these visits, special programming for alumni was scheduled, including a special reception for alumni who are members of the judiciary.

Schwinn prepares for the visits by obtaining briefs for the cases which students can access on the School’s Website. He also recruits colleagues with expertise in



specific legal areas to meet with students in advance to help them digest the information before the actual arguments. Incorporating these briefs into the classroom discussion affords a clearer understanding of the arguments to come. Schwinn also arranged post-argument panel discussions with the attorneys so that students could query them about their techniques, tactics and strategies.

“This program enables us to reach out to the legal community and further strengthen our law school education,” says Dean Karen Rothenberg. “It also gives us the opportunity to share the riches of our new facility with the practicing bar. It works both ways.”

THE CASE FOR ORAL ADVOCACY

While opportunities in legal research and writing may appeal to some students, others seek out avenues to excel in oral advocacy, as well. The School of Law offers a variety of options in its advocacy program for those who want to gain experience in appellate brief writing and

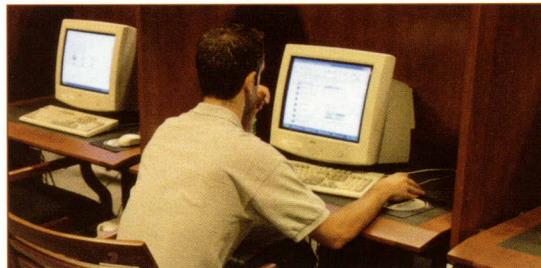
amazing to actually participate in the process instead of just watching it on TV,” Clark explains. “We meet with a lot of lawyers and see some of the greatest minds in the field.” He adds that through these networking opportunities, students gain confidence in themselves and their abilities. “It’s a rite of passage, to know you’ve argued in front of a judge. Plus it’s a great experience to work with classmates and people you’ll be practicing with and against in the future.”

In addition to competitions, Moot Court Board members serve as teacher’s aides for first- and second-year students in the School’s Legal Analysis, Writing and Research (LAWR) Program. They help students practice oral arguments and serve as judges for final arguments at the end of the year.

Students compete for membership on the Moot Court Board through two competitions held each year. The fall competition features two rounds of oral arguments, with the top 20 students being invited to join the Moot Court Board. These students must then compete in the spring competition known as the Morris Brown Myerowitz Moot Court Competition.

“It’s the brass ring of the internal moot court competitions,” says Liz McFarlane, director of alumni relations and annual giving. The competition was established and endowed by the family of Morris Brown Myerowitz ’68 who was killed in an automobile accident the summer following his graduation from the School of Law.

“He showed great promise in advocacy, and his family created this competition as a way to honor his memory,” McFarlane notes, adding that members of Myerowitz’s family, including his mother and sister, attend the competition each year. Now in its 33rd year, the competition features four rounds of oral arguments. The top three participants are named as members of the National Moot Court Team and represent the law school in regional competition. If successful there, the team participates in the national competition finals held in New



oral advocacy. The Moot Court Board, for example, offers students a chance to enhance their advocacy skills through workshops, panel discussions and competitions. Joe Clark, third-year student and current president of the Moot Court Board, describes the experience as valuable, hands-on learning.

“We get to compete against other students, and it’s

York each year.

Alumni play a vital role in the Myerowitz and other advocacy competitions by serving as judges and coaches, training students in the strategies and techniques of framing arguments.

“Our alumni have been amazingly generous with their time, talent and money,” says Deise, faculty coach for the

trial teams. "The trial teams could not possibly be as successful without them. We're talking about some of the best, most successful lawyers in the country. They consider it a responsibility and they really want to give back. It's a wonderful thing to see."

Deise describes the breadth of the School's advocacy program by pointing to the School's Website, which lists more than two dozen courses featuring all forms of advocacy including litigation, dispute resolution, appellate advocacy, child advocacy and a death penalty seminar. Deise stresses that advocacy encompasses much more than litigation and all courses teach advocacy in one form or another. One of the classes Deise teaches is limited to members of the School's highly successful National Trial Team. This course focuses on trial advocacy as the 18 student members of the team prepare cases for presentation in regional and national competitions.

Last fall, the team won the 2002 Quinnipiac Regional Competition for the Northeast Regional Criminal Justice Competition. Second-year student Governor Jackson took home the honors for best direct examination.

"That win allowed us to advance to the ABA/John Marshall Law School 13th Annual National Criminal Justice Competition held in the spring," Deise says. "This competition features the very best of the nation's trial teams, and we always look forward to competing against other highly talented law students from around the country."

The team also was named national champions at the 2002 Walter W. Daniel Mock Trial Competition held in Atlanta and three team members were nominated for best advocate during the competition. The team's most recent victory came in February when the team won the ACTL & Texas Young Lawyer Competition and advanced to the national competition to be held later in the spring. A student's commitment to the trial team

recent successes. In the past, when a trial team received a case for an upcoming competition, one student would take copious notes of the team's brainstorming sessions then type up the notes to distribute to members.

"Now we have high-tech courtrooms with smart lecterns where I can drop a large screen at the front of the room. I tap into my office computer, open a file, and create a large diagram to record information as we develop it," Deise says. "It's wonderful because, in this chart, we have virtually everything that we need to know about the case and, in 15 minutes, we hand everyone a copy of what we accomplished in that session." The process saves hours of manually recording and copying information. The file contains elements of claims and defenses, facts supporting elements, sources of those persons, documents or other evidence that provide those facts and, finally, potential evidential objections.

"The students all agree that this was an important factor that contributed to their success last fall," Deise adds, noting that the team distributes the workload among themselves and, if someone isn't doing their part, it's very evident immediately.

"This technology enhances the educational experiences of our students in ways we never imagined before," Dean Rothenberg says. "It's bringing the real world into the law school in new and creative ways."

HARNESSING TECHNOLOGY WISELY

While it was expected that both students and faculty would benefit from the advanced use of technology incorporated into the law school's new home, the extent to which they have embraced it has been a pleasant surprise. From sophisticated video to the extensive use of Blackboard, an online course management program, students not only are taking advantage of the technology but also they are learning how to use it appropriately.

"Use of technology is a skill students are going to need in practice," says Alan Hornstein, professor of law.

"It's a rite of passage to know you've argued in front of a judge."

—JOE CLARK, THIRD-YEAR STUDENT

translates into hours and hours of practice on nights, holidays and weekends.

"With one team practicing on Saturday and one on Sunday, I don't have a weekend," Deise laughs.

Along with plenty of practice and critical support from alumni, Deise credits the advanced technology of the law school's new building for much of the teams'

"We have special types of taping to record student trial work in each of the three courtrooms in the building as well as classrooms. These tapes can show the faces of both the attorney and the witness so a student can get immediate feedback on the body language of every person involved."

The largest courtroom, the Ceremonial Courtroom,

has a capacity of 98 and features its own audio-visual control room. The two smaller rooms, the Bekman Courtroom and the Levin Courtroom, are used for trial advocacy classes, trial team practices and preparation of clinical students for court appearances.

“The ability to broadcast to other locations and to receive broadcasts from almost anywhere can make available resources that would otherwise be impossible to secure,” adds Hornstein. “The technology in these courtrooms has expanded the educational opportunities in many ways.”

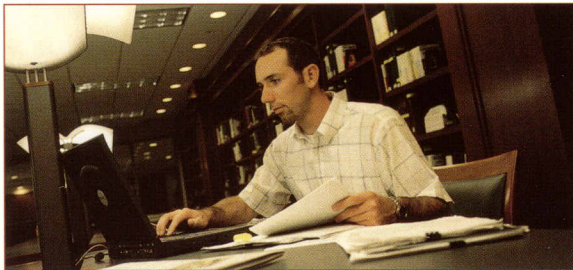
A new course that specifically addresses the use of technology in the courtroom was added to the Maryland curriculum last fall—Advanced Trial Advocacy: Litigating with Technology.

Teaching the limitations and liabilities of technology is not overlooked. While the flip charts, smelly pens and boxes upon boxes of legal documents may be eliminated from the courtroom, Deise notes that juries can be skeptical of technology.

“We teach our students to recognize the disadvantages as well as the advantages of technology,” he says. “Some jurors are distrustful of technology in the courtroom. They view it as ‘smoke and mirrors.’ Our students are



“When our students leave here,” Deise adds, “we can be confident knowing that we did a very good job preparing them for the challenges that lie ahead. We provided the necessary knowledge and tools they will need to represent their clients effectively and we have helped them to become thoughtful, caring and ethical lawyers.” ■



taught to use technology effectively and properly and, as important, to recognize when opposing counsel is not.”

Faculty members have also jumped on the technology bandwagon in great numbers. At the end of the fall semester, the first in the new building, almost three-fourths of the faculty was using some form of technology support in the classroom.

Deise notes that although some of his colleagues may be classified as technophobes, most realize that the way lawyers do business has changed forever.

“This is fascinating stuff, and it really is a brave new world for all lawyers,” he says. “It has changed the way we educate our students and the way we practice law.” Through the many opportunities available in the advocacy program, the School has created a strong coalition between those who practice law and those still learning the law.

“The advocacy programs bring together the judiciary, the practicing bar and legal education in ways we never thought possible,” Dean Rothenberg says.