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## Law School News: A Courtroom Drama Worth Watching

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Suzi Morales

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October 22, 2023

# *Law School News*

## A Courtroom Drama Worth Watching

Long-running Litigation Academy gives realistic courtroom training

October 22, 2023

Suzi Morales



Held twice a year at the federal district courthouse, each Litigation Academy session covers a specific aspect of trial practice. The upcoming Litigation Academy in November 2023 will cover direct and cross examination. Image Credit: US District Court, District of Rhode Island

The closest many young lawyers get to the courtroom is through the legal dramas on their Netflix queues. Practical training is crucial, but the opportunities can be few for a less experienced lawyer.

Even the chief judge of Rhode Island's federal district court, Judge John McConnell felt this at the beginning of his career. "It was totally trial by fire," he recalls. "I barely got my name out the first time I spoke in court. I was so nervous and my voice was shaking." Noting that litigation is a kind of theater, he says it's important to gain experience with all of the little things that go into

litigation, like “how do you project, how do you show confidence, how do you hold on to a podium.”

For the past decade, Roger Williams University School of Law has partnered with the Rhode Island Chapter of the Federal Bar Association and the U.S. District Court for the District of Rhode Island on Litigation Academy, an innovative training program that gives new lawyers the experience they need to be effective advocates for their clients.

Real courtroom experience

*During the intensive three-day training sessions, attorneys gain litigation experience in the same courtrooms and before the same judges where their actual cases are heard. Actors play the part of litigants and frequently throw curve balls in the lawyers' direction.*

Litigation Academy was the brainchild of then-Chief Judge William Smith. He saw the number of trials in federal court decreasing, along with prospects for less experienced attorneys to build their skills. At the time, he was an adjunct professor at RWU Law, teaching a course on complex litigation, and was also chair of the School of Law Board of Directors. He enlisted the help of Professor Niki Kuckes and Brooks Magratten, a partner at Pierce Atwood who guest lectured in Smith's class.

Held twice a year at the federal district courthouse, each Litigation Academy session covers a specific aspect of trial practice. The upcoming Litigation Academy in November 2023 will cover direct and cross examination.



### Acting the part

The Litigation Academy's special sauce is the professional actors brought in from Trinity Repertory Company and Gamm Theatre to play the roles of litigants and witnesses. The actors may not turn the attorneys into Atticus Finch – or even Harvey Specter from *Suits* – but they do add a level of reality to the immersive training experience. During the debriefing at the end of the program, the actors also share important tips on how lawyers can present themselves in a courtroom setting.

“In every other trial practice scenario I’ve ever been involved in, it’s either fellow students or lawyers who play the parts of the people involved in in the trial and it’s all very vanilla and predictable,” says Smith. “Bringing the professional actors into the into the mix enables the program to go to another level.” He notes that even the experienced litigators and judges who volunteer as Litigation Academy trainers often benefit from the actors’ pointers.

### Ahead of its time

Nationally, there has been an increasing emphasis on providing diverse attorneys with litigation experience. “In the past, the younger, often more diverse, oftentimes, women or people of color didn’t have the opportunities because they’re lower on the seniority pole,” McConnell notes. That has begun to change, with some judges and courts adopting rules directed toward giving newer attorneys the chance to argue motions. In this way, Litigation Academy has been ahead of its time in providing junior attorneys with courtroom experience before federal judges.

Anecdotally, McConnell says the district court is now seeing an increase in the number of civil trials, the reverse of the situation when Smith first had the idea to start Litigation Academy. Thanks to the program, new attorneys have the skills to play an active role in trying cases for their clients.

In the first season of the Netflix series *The Lincoln Lawyer*, the title character Mickey Haller said, “I can win almost any case as long as I know what I’m dealing with.” Litigation Academy can’t guarantee victory, but it does help new lawyers learn what they’re dealing with.

[See here](#) to learn more about the upcoming Litigation Academy, and watch the [RWU Law events page](#) for future sessions.