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Spring 2010

The Advocate Spring 2010

The University of Tennessee College of Law's Center for Advocacy & Dispute Resolution

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“educating today the successful lawyers of tomorrow”

Summers & Wyatt Scholars Announced at Collaboration

Members of the College of Law Class of 2010 graduating with an emphasis in advocacy and dispute resolution celebrated their accomplishments at the April 29 Center Collaboration. The graduates had the opportunity to thank many of the adjunct professors who teach in the concentration and to meet two of the Center founders: Jerry Summers, whose law firm endowed the Summers and Wyatt Scholarships and John T. Milburn Rogers, of Rogers, Laughlin, Nunnally, Hood, and Crum, who delivered the evening's address, "Ten Rules of a Successful Advocate." [Rogers' talk is reviewed on pages 2 and 3.]

Jerry Summers, of the Chattanooga law firm Summers and Wyatt, recognized the 2010-2011 Summers and Wyatt Trial Advocacy Scholars. Jerry is an experienced trial lawyer and one of a small number of attorneys who has been included in every yearly volume of "Best Lawyers in America" in both the personal injury and criminal law categories. His personal commitment to these two practice areas has led to his life-long participation in organizations devoted to trial practice excellence. Mr. Summers has served as President of the Tennessee Trial Layers Association and the Tennessee Criminal Defense Lawyers Association; he has also served on the national boards of the American Association for Justice and the National Association of Criminal Defense Lawyers and is a life member of both the state and national organizations. Jerry's excellent trial skills have earned him membership in the International Academy of Trial Lawyers, the International Society of Barristers, and the American Board of Trial Advocates. [story continues on p. 2]

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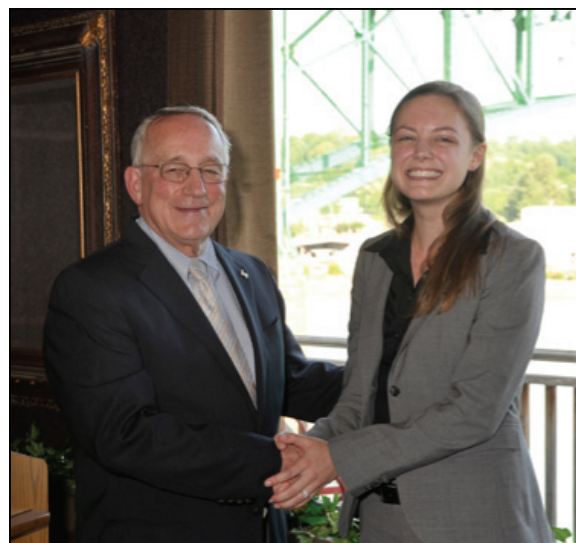
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Jerry Summers with the 2010-2011 Summers and Wyatt Trial Advocacy Scholars Sarah Graham McGee (R) and Nicole Uribe (L).

Summers & Wyatt Scholars, continued

Due to his strong commitment to advocacy, Jerry and his firm endowed the Summers and Wyatt Trial Advocacy Scholarship for the purpose of encouraging excellent students to become trial lawyers. The scholarship honors a student who is in the advocacy and dispute resolution concentration and whose career goal is to serve as either a civil plaintiff's or criminal defense lawyer. The scholarship also seeks to honor students who are graduates of either the University of Tennessee or Sewanee and who are descendants of members of the Tennessee Association of Criminal Defense Lawyers, the Tennessee Association of Justice, or the Tennessee Bar Association. The scholarship recipient is selected by a committee that includes the presidents of those organizations, the Dean of the College of Law, and the senior member of the Tennessee Supreme Court who is a graduate of the College of Law.

This year, the committee named two Summers and Wyatt scholars. They are Sarah Graham McGee and Nicole Uribe. Both Sarah and Nicole plan to pursue careers in criminal defense and, through their studies and clerking experiences, are well on their way to meeting their career goals.

John T. Milburn Rogers, Country Lawyer with Global Appeal

John T. Milburn Rogers' law office is on Main Street in Greeneville, Tennessee, population 15,000. He has been a Greeneville lawyer since he began his practice, but he has tried cases in state and federal courts all over the country. But John T.'s global exposure has not altered his down-home manner and folksy charm. John combined his diverse experiences and his authentic personality to formulate his "Ten Rules of a Successful Advocate," which he shared with the 2010 concentration graduates. Quoting Thomas Jefferson, who characterized "trial by jury as the only anchor yet imagined by man, by which a government can be held to the principles of its Constitution," John reminded the graduates that "to be a trial lawyer is to bring life to our system of government."



United States Magistrate Judge for the United States District Court for the Eastern District of Tennessee and veteran UT Law Trial Practice Professor C. Clifford Shirley, Jr. with John T. Milburn Rogers.



Katie Atkins, Class of 2010, speaks with adjunct professors John Weaver, Chancellor, and Larry Giordano, Lewis, King Kreig, & Waldrop, P.C., Knoxville.



Jennifer Milam, 2009-10 Summers and Wyatt Scholar, speaks with Jerry Summers.

Scenes from the Center for Advocacy & Dispute Resolution Year-End Collaboration held at Calhoun's on the River.

Paraphrased from John T. Milburn Roger's "Ten Rules of a Successful Advocate"

- Rule No. 1 Always, Always Tell the Truth!** Never lie. Your word really is your bond. Your reputation depends on it.
- Rule No. 2 Advocacy is Not the Ultimate Fighting Championships.** Our adversaries are our opponents, they are not our enemies. You don't have to activate your "inner beast" every time you walk into the courthouse. Do not let your opponent's behavior dictate yours.
- Rule No. 3 You Must Train Your Clients That Unless Someone is Bleeding, It is Not an Emergency.** You must communicate with your clients about their case, but you do not have to talk to every person you represent every day.
- Rule No. 4 Never Make A Really Important Decision in Haste Unless it is in the Courtroom.** Whether in your personal or professional life, this rule should guide you all the days of your life. Don't be afraid to consult with others in whom you have confidence; however, always remember you are ultimately responsible.
- Rule No. 5 Always Remember that Justice is Unpredictable.** Never let your ego interfere with a client's decision to settle a case. The same is true when dealing with plea offers in criminal cases.
- Rule No. 6 Always Take Time to Truly Listen to Your Client.** You will be amazed at what you will learn.
- Rule No. 7 Be Nice to Everyone.** Especially be nice to the courthouse family and personnel. Always extend personal courtesy to adversary counsel. Be as nice as you can to the other party and to witnesses.
- Rule No. 8 Always Be Diligent to a Fault.** Don't sell out your client. Spend the amount of time in preparation that you would expect from the lawyer representing you. Do what you say you will do. Remember the genius in the courtroom is the drudge in the office.
- Rule No. 9 Hone Your Advocacy Skills.** Attend as many seminars on courtroom advocacy as possible. Attend trial advocacy schools early in your career. Watch as many trials as possible; you will learn as much about what not to do as you will about what to do.
- Rule No. 10 Success is a Product of Preparation.** Expect to spend hours and hours of tedious preparation. Always identify the psychological hurdles with which you must deal. Remember your case is no better than your integrity.

Professor Paula Schaefer Teaches E-Discovery in Pretrial Litigation

A course in Pretrial Litigation has always been an integral part of the advocacy curriculum, but electronic discovery has altered the pretrial litigation landscape. This year, Professor Paula Schaeffer developed a special pretrial litigation course that focused on e-discovery issues. Over the course of the fall, students, playing assigned roles, emailed frequently about a business venture. By spring, a controversy had arisen. Students in the Pretrial Litigation class were required to sort through thousands of emails, interview clients, depose witnesses, and determine the appropriate course of action.



Professor Paula Schaefer

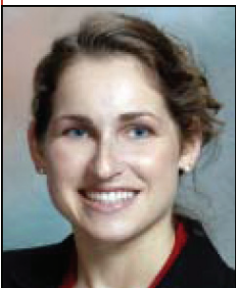
With electronic discovery becoming a more frequent occurrence in the practice of law, Professor Schaefer's electronic discovery-focused Pretrial Litigation class is one of the most practical and valuable classes offered at the law school. From day one, we were treated as junior associates in a law firm. We were told that the firm decided to represent a client who had valid claims against a former business partner, but all of the important and relevant information for the case would have to be found within the enormous amount of electronically stored information ("ESI") located on the client's computer. We were then given CDs with literally thousands of emails and documents that needed to be filtered and organized. For the first two weeks of the class, each student had to read through the documents in order to decide the legal issues to present in the complaint. Although the amount of information was tremendous and many hours had to be dedicated to creating lists of "key documents" in order to separate important information from clearly irrelevant and distracting documents, the experience was extremely realistic and comparable to an actual assignment that a new lawyer could expect to receive on the first day on the job.

The unique simulation not only allowed us to experience and practice the components of typical pretrial litigation (drafting complaints and answers, taking depositions, and drafting or responding to motions for summary judgment) but also provided us the opportunity to understand the interplay of electronic discovery with the Federal Rules of Civil Procedure, Tennessee Local Rules, and the Rules of Professional Conduct. Further, we had "actual" clients and were assigned opposing counsel, which made the experience even more realistic. We had to discuss several documents with the client prior to the filing deadline and send all documents filed with the "Court" (via TWEN) to opposing counsel. Additionally, we were required to cooperate with opposing counsel. This included filing a joint 26(f) Report of the Parties' Planning Meeting. The 26(f) Report had to specify our "Discovery Plan," which included agreements regarding the methods of finding relevant ESI and producing it to opposing counsel.

This class has helped prepare me for real-life issues that I will face as a practicing attorney, especially with the growing reliance on and usage of e-mail. In fact, last summer, after only one year of law school, one of my first assignments was to wade through a huge amount of ESI and paper documents for a case. I wish I had known then what I know now about electronic discovery.

Familiarity with ESI and electronic discovery will be imperative for every new attorney entering the legal field because many states, including Tennessee, have adopted or are in the process of adopting amendments to the rules of civil procedure that specifically address and incorporate "e-discovery." The legal world must adapt to the advances in technology and lawyers must be prepared to deal with electronic discovery in the courtroom. As a result of the class, I am confident that I will be ahead of the game and ready to guide other attorneys through the electronic discovery process.

—Michelle Consiglio, Class of 2011



Last summer I worked with Professor Paula Schaefer to create the factual scenario which would be used for the Pretrial Litigation class. My character, Gem, was a horrible attorney. Even though the simulation was fictional, it helped me to realize the importance of an attorney's role in society. Gem watched as two people's lives were changed significantly through both personal and legal actions. In fact, most of these changes were as a result of advice that Gem gave. As a result, I will think more carefully when advising my future clients to take certain actions.



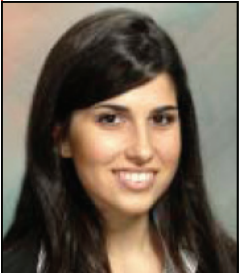
—Eliza Fink, Class of 2010

In this class, my role was to play the character of one of the parties to the eventual lawsuit. I emailed other players in the simulation, maintained some minor business records, participated in client meetings, reviewed work product, and was deposed. It was interesting to participate in litigation from the party's perspective as opposed to the advocate's perspective. It highlighted for me the importance of something other classes had taught me: try and figure out what your client wants. An attorney is a glorified agent for a client, so it is key to figure out what the client is looking for in any legal action.



—Stephen Esposito, Class of 2010

During the first week of Professor Schaefer's Pretrial Litigation course, students are given a disc containing thousands of electronically stored documents such as emails, business records, and various agreements. Students are left with the daunting task of trying to organize this material, develop a case, and then proceed with discovery. Students must figure out how to deal with special issues that arise when dealing with electronically stored data. For instance, is running a key word search an acceptable way to look for responsive documents? What types of media must be searched? What do I do about deleted emails? What is meta-data and must I disclose it? This course enabled me to enter the real world confident enough to talk to senior attorneys and company executives regarding the many issues that arise when dealing with electronic discovery.

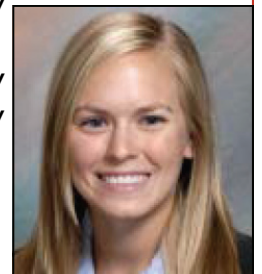


—Dora Misciagna, Class of 2011

The electronic discovery Pretrial Litigation class gave me the opportunity to experience what the discovery process is like in the real world. I was confronted with issues that I didn't expect, but now I have mastered the technological skills necessary to keep up in a fast passed digital practice.

Our class worked on a single case beginning with initial interviews and document review and concluding with a motion for summary judgment on our client's claim. Our clients had created a significant amount of electronic data that required the student attorneys to develop a workable system for organizing the data. Discovery requests and responses were all filed electronically and each student attorney was responsible for the organization and production of thousands of digital documents.

I thoroughly enjoyed my experience in this class and would recommend it for any student who is interested in learning real-life skills that will undoubtedly be valuable in any litigation practice after graduation.



—Marianna Jablonski, Class of 2011

Many Advocacy Students Excel as Members of College's Moot Court Teams

Not surprisingly, many of the students honored at the College of Law's Moot Court Banquet, held on April 16, were students in the advocacy and dispute resolution concentration. The College sponsors two intra-school competitions each year: the Advocates' Prize, which is an appellate moot court competition, and the Ray H. Jenkins Trial Competition. Elizabeth Wilson Vaughn, Class of 2010 and concentration graduate, was this year's big winner in both competitions. Elizabeth, also a member of the National Moot Court Team for two years, placed first and wrote the best brief in the Advocate's Prize competition and placed first and received the best oralist award in the Jenkins Trial Competition. Elizabeth will be working at Alston and Bird in Atlanta.

In addition to the two intra-school competitions, the College sponsors dozens of traveling moot court teams that compete at other law schools. Two of those teams—the National Trial Team and the American Association of Justice Trial Team—compete in trial competitions. Both teams are coached by volunteer attorneys who spend hundreds of hours getting the teams ready to compete. The National Trial Team is coached by Carl Eshbaugh, Eshbaugh, Waters, and Strange-Boston, Knoxville. The AJA team is coached by Summer McMillan, London and Amburn, P.C., Knoxville, and Larry Giordano, Lewis, King, Kreig, and Waldrop, P.C., Knoxville. The College of Law nominated ten student members to the Order of Barristers—Jamie Carter, Chris Collins, Sally Goade, Kevin Hartley, Charles Hartman, Charles Howorth, Scott Jarvis, Hannah Lowe, Kelly Simoneaux, and Elizabeth Wilson—and also nominated Larry for an honorary membership. Larry is only the second person to be nominated by the College of Law for honorary membership. Carl Eshbaugh, who also coaches a trial team, was the first. The Order of Barristers is a national honorary organization recognizing advocacy excellence and significant contributions to moot court programs.



Advocates' Prize Competition Finalists (L to R): Brad Vaughan & Chris Collins, 2nd Place and 2nd Best Brief; Judge Norma McGee Ogle, Tennessee Court of Criminal Appeals; Justice Sharon G. Lee, Tennessee Supreme Court; Justice William C. Koch, Jr., Tennessee Supreme Court; Elizabeth Wilson Vaughn, 1st Place & Best Brief.



Ray H. Jenkins Trial Competition Finalists (L to R): Jamie Carter, Competition Coordinator; Scott Jarvis and Anthony Bills, Second Place; Ryan E. Jarrard, Michael H. Fitzpatrick, and Jason E. Fisher, Jenkins & Jenkins, PLLC; Elizabeth Wilson Vaughn, First Place and Best Oralist; Kathryn Ellis, Competition Coordinator.



National Trial Team (L to R): Nick Lee, Paige Bernick, Jeremy Oliver, Scott Jarvis, Chip Howorth, Coach Carl Eshbaugh [not pictured, Anthony Raiford].



American Association for Justice Trial Team (L to R): Bart Williams, Coach Summer McMillan, Charlie Hartman, Kelley Simoneaux, Eric Mauldin, Jacob Wilson, Will Perry, Coach Larry Giordano, Joe Welker.

Adversity Builds Character and Advocacy as Well

Some stories deserve repeating. This is one such story.

As we walked into the Brooklyn Supreme Court clerk's offices, the only thought in our heads was, "We're not supposed to be here." We weren't. We sat down, looked over, and saw a better team—four highly trained 3Ls, with much more experience than us. I sat, exhausted, just waiting for the competition coordinator to deliver the results. "Well, I'm not one for holding out on you guys, Tennessee won." And with that, it all came together.

Five days before, my 2L mock trial team had finally reached a state of relaxation. Back in January, we had learned that only the 3L team would be competing in the AJA national mock trial competition. Throughout January and February, there we were, spending late nights on crosses and closings, knowing that in reality it was all for naught. We wouldn't be the ones delivering the openings. We wouldn't be the ones crossing the witnesses. We were merely the junior varsity squad, prepping the 3L team for its upcoming competition. By the week of the competition, the 2L team decided to pull back our effort since there was not much else for us to do but wait for the results from the Charlotte regional where the 3L team would compete. And then, we got a call.

A spot for a trial team had opened up in the New York regional to be held in Brooklyn. Accepting the offer to compete was a rushed yet obvious decision. Our coach, who would not be able to travel with us, wished us luck and warned up that we would experience a new type of trial atmosphere and drastically different lawyering styles in New York. We were told to expect obnoxious, fast-paced objections and over-dramatized crosses, and warned that we would bow out of the competition early. Since we would not make it to the second round, we even made plans to go to Manhattan the second night.

There's not much I can tell you of the next five days. Whatever the human potential is for preparation, we surpassed it. For the previous two months, we had given only fifty percent since we weren't competing. Now we spent endless hours retouching an opening statement. Try this; don't say that; what if we tried this? We had little direction and no expectations. Meal breaks were gifts—sleep, a privilege.

We met at my place around 4:30 a.m. for our flight to Washington. What happened next was only an appetizer for things yet to come. I calmly checked our flight status. "CANCELLED" was the only word I saw. If we had scrambled to work wonders in the past five days, we now had to make a miracle happen. With the first trial that evening, we worried we had gone from nothing, to everything, and now back to nothing. [continued on next page]

Adversity Builds Character and Advocacy as Well, continued

Disturbed and cranky, we called to try our luck at the airport. Another flight opened, and Washington D.C. was in our sights. But landing in D.C. turned out to be a small step. Six flights from D.C. to Laganardia were cancelled. Ask me now and I can describe for you in full detail the dimensions of the US Air gates at Reagan National Airport.

With ten straight hours of airport fever, we decided it was time to make use of our extended stay at Reagan. After a quick cab ride, we were blocks away from the Capitol when the competition coordinator learned of our story and said that given our extenuating circumstances, we should just compete in the D.C. regional. Considering we were done for in the New York regional, it seemed like a great idea but the first trial began in D.C. in only fifty minutes and our suits were resting comfortably, presumably in New York. We checked into the hotel a block away and began practicing our openings right there on C Street. No more than twenty minutes after two of our teammates went to the airport to figure out our luggage situation, the competition coordinator called back and announced that the D.C. regional didn't want us. Our best bet was to continue on to New York. From cancelled flights, to flirting with competing in D.C., it was now back to Reagan to try to get to and compete in New York. We arrived at midnight, eight hours before our first trial.

We swept Pace U, UConn, and Rutgers. Somehow, the Southern boys from Tennessee were dominating the quick New England schools. Our newly enlisted coach, former trial team member and recent grad Nick Cook, noticed it after we beat UConn. "They are loving the Southern thing." We immediately understood. New York area judges see fast-paced directs, loud crosses, and pompous closings every day. We brought just the opposite. We took it slow, smiled, and delivered Southern charm. We made sure the judges liked us so that it was difficult for them to rule against us. The nice guy—the Southern gentleman thing, I now know it works.

Missing the first night didn't hurt us. We did so well the second day we won a spot in the semi-finals, against the top-ranked team from Fordham. The other fourteen New England area schools sure didn't appreciate a Southern team coming in and stealing their spot. We didn't have time to sympathize. Those plans for a night in Manhattan were soon forgotten; we had bigger plans as we prepared for the next day's trial.

"We're not even supposed to be here." That statement kept rolling through my mind. I began to realize everything that had happened over the past five days. Finding out we were competing, the cancelled flights, the Washington regional flirt, and now here we were having just competed against the top-ranked team in the semi-final round. The competition coordinator gave us the news: we had won!

We lost the final trial by five points. NYU took the crown, but I can never say we lost. A trial lawyer put it best. "I've never lost a trial in my life but I have come in second a few times." We still have never lost.

—Joseph Welker, Class of 2011

IP Moot Court Team Wins National Championship

The College of Law's intellectual property moot court team, coached by Professor Gary Pulsinelli, won the Giles Sutherland Rich moot court national championship in Washington, D.C. in April. The team, comprised of Josh Lee and Stephen Adams, won by a split decision over American University, after winning the Houston regional competition to advance to the national finals. The competition is in its 37th year and is hosted by the American Intellectual Property Law Association (AIPLA). The competition centers around issues in intellectual property law and is named for distinguished jurist Giles Sutherland Rich, a member of the United States Court of Appeals for the Federal Circuit, regarded as the most distinguished jurist in patent law in the world.



Josh Lee and Stephen Adams, National Champions, Giles Sutherland Rich Patent Law Moot Court Competition.

Center and TENNESSEE JOURNAL OF LAW AND POLICY Co-Host Two Symposia

This spring the Center for Advocacy and Dispute Resolution and the TENNESSEE JOURNAL OF LAW AND POLICY joined to host two well-attended symposia. In March the TJLP hosted its annual symposium focusing on the use of forensic evidence in civil and criminal cases. The Symposium, entitled “One Advocate’s ‘Junk Science’ is Another Advocate’s Evidence: Forging New Paths in Forensic Science,” featured a morning lecture by Dr. William Bass, founder of the UT Body Farm and best-selling author. Professor Margaret Berger of the Brooklyn Law School, recipient of the Wigmore Lifetime Achievement Award and member of the National Academies’ Committee on Science, Technology, and Law, delivered the luncheon address which highlighted the findings set forth in the National Academies’ Report, *Strengthening Forensic Science in the United States: A Path Forward*. Various



other experts in fields ranging from DNA to fingerprinting to arson investigation led discussions and participated in trial simulations. Nearly one hundred attended the symposium, including many state and federal prosecutors and public defenders.



Professor Jerry Black



Professor Norman Lefstein



Supreme Court Correspondent Tony Mauro

On May 20-21 the Center co-hosted a national indigent defense symposium with the American Bar Association Standing Committee on Legal Aid and Indigent Defendants and the Death Penalty Representation Project. The Symposium focused on the unmet promise of the Sixth Amendment right to counsel in capital and non-capital cases and featured many prominent experts from around the country. A recent publication, *Justice Denied: America’s Continuing Neglect of Our Constitutional Right to Counsel*, written by Dean Emeritus Norman Lefstein, was presented as was a soon-to-be-released publication, *Securing Reasonable Caseloads: Ethics and Law in Public Defense*. All of the symposium proceedings as well as some related articles on the topic of indigent defense will be published in a special symposium issue of the TENNESSEE JOURNAL OF LAW AND POLICY, available for purchased by contacting the Center offices.

Focus on Adjunct Faculty: Steve Oberman

Steve Oberman: “Godfather of Tennessee DUI cases.” That title alone could intimidate any young law student. Indeed, Steve’s grand stature, honed advocacy skills, and straightforward critiques are often enough to downright frighten his new trial practice students. Yet, once one settles into the course, one finds that Steve is not only among the most skilled lawyers of our day, he is also a dedicated and passionate educator and a tremendously kind individual.

Since 1980, Steve Oberman has dedicated his life to helping clients navigate through the legal system. Not only does Steve give his all in defense of his clients, as a member of the adjunct faculty for the Center for Advocacy and Dispute Resolution he shows utter dedication to educating his students. Since 1993, with a break here and there, Steve has tirelessly taught nervous, and sometimes awkward, law students how to represent their client’s interests at trial. Even though he could probably recite the NITA City fact pattern verbatim in his sleep, he never lets it show. Steve goes above and beyond in his attempt to make his course as realistic as possible. Always practical, Steve is not one to allow his students to leave his course unprepared for their first trial. He uses his keen insight to identify strengths in each student and then helps each to flourish. He is also honest, yet always supportive, in identifying weaknesses in his students. In fact, he makes himself available to personally review any performance with his students.



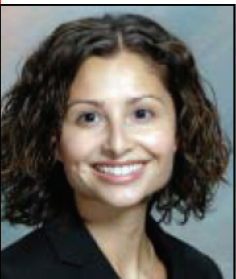
Professor Steve Oberman

“Every week in Steve Oberman’s class presents a new learning experience.”

Every week in Steve Oberman’s class presents a new learning experience. Whether he is correcting a student because the student has inadvertently violated a rule or is helping another student with his or her delivery, there is always something new to learn and a regret if you are not paying attention. Steve’s methods may be unconventional; after all, if a student delivers too fast he may have the student recite the opening with a classical music soundtrack to help keep on pace. However, he would never ask a student to do something that he does not believe in. He makes every attempt to ensure that the latest methods, ideas, and technologies are available to his students. Though he will never force anyone to do things “his” way, only a fool would disregard the advice of such a skillful, artful, and seasoned professional.

Steve Oberman is not only a passionate educator; he is also a great person. Steve is generous, kind, classy, and a whole a lot of fun. Every year he treats his students to a party at his home. He and his lovely wife, Evelyn, open their home to students and their guests for a night of food and fun. His home shows off his quirky side with stills of cartoon characters lining the walls and beautiful, abstract artwork and statues scattered about his property. Evelyn cooks a tasty meal topped off by decadent desserts. On top of all that, the party includes a murder mystery and karaoke. A night at the Oberman’s is always a night to remember.

While Steve certainly knows how to have a good time, he has high standards when it comes to his students. This is because he has such high standards for himself. Every morning by 7:30, Monday through Friday, Steve is at the office ready to start the day. He has court most mornings at 9:00 and is busy all day. Yet, Steve makes time not only to teach trial practice but to be available to his students whenever they need him. He is the most supportive professor that I have ever had. Every student who has had the good fortune of enrolling in his class should count their blessing for he is a truly wonderful teacher and person.



—Nicole Uribe, Class of 2011

Stephen B. Bright to be Advocate in Residence

Stephen B. Bright, president and senior counsel at the Southern Center for Human Rights, an organization that deals with human rights in the criminal justice and prison systems, will serve as the Center’s Advocate in Residence during the Fall 2010 Semester. While at the College of Law, Steve will co-teach a Wrongful Convictions seminar, consult with the Innocence Clinic, and deliver lectures in other law school courses and for the legal community.



Stephen B. Bright

Steve began his practice with the Appalachian Research and Defense Fund in Lexington, Kentucky, his home state. Thereafter, he worked for the Washington D.C. Public Defender Services and then served as Director of the DC Law Students in Court Program, a trial advocacy program for law students from five DC area law schools that assists poor people in civil and criminal cases. From 1982 through 2005, Steve served as director of the Southern Center. For almost thirty years, Steve has represented capital defendants and prisoners at trial, in post-conviction, on habeas, and in class-action lawsuits all across the country. He has won reversals in two capital cases in the United States Supreme Court, both involving racial discrimination in jury selection.

Steve has taught courses on criminal law and capital punishment at Harvard, the University of Chicago, Emory, Georgetown, Northeastern, and other law schools. He presently serves as the Harvey Karp Visiting Lecturer in Law at Yale Law School, where he has taught since 1993. He has written extensively on criminal justice issues and has testified before House and Senate committees on criminal justice issues. Additionally, he has received many awards, including the ACLU Roger Baldwin Medal of Liberty, the John Minor Wisdom Professionalism and Public Service Award, the Durfee Award, and the Kutak-Dodds Prize. The Center for Advocacy and Dispute Resolution is honored that Steve Bright has agreed to serve as our first Advocate in Residence.

Center for Advocacy and Dispute Resolution Scheduled Activities 2010-2011

August 25

Advocacy Concentration Kick-off
12:00 Noon

September 2

Justice Connie Clark, Tenn. Supreme Court

September 15-17

Advocate’s Prize Competition

September 17

Final Round, Advocate’s Prize Competition

Justice Clarence Thomas, presiding

September 27

Summers and Wyatt Lecture: Steve Bright
12:00 Noon

October 7-10

AJA Essentials of Civil Litigation

October 29-30

ABOTA Essentials of Cross-Examination

November 3

Essence of Voir Dire: Ray Fraley
12:00 Noon

February 23-24

Jenkins Preliminary Rounds

February 25

Jenkins Final Round

March 9

Masters in Mediation Panel

March 12

ABA Representation in Mediation Competition

March 23

First Year Advocacy Competition

April 27

Advocacy Center Collaboration

Director's Dicta:

“Change always comes bearing gifts.” Those words are attributed to a Dallas-based consultant, Price Pritchett, and they prove true for the upcoming year for the Center for Advocacy and Dispute Resolution. This year, the UT Legal Clinic will experience a tremendous change as Professor Jerry Black leaves his many years of service as a clinical professor and three-time director to return full-time to the classroom. Undoubtedly that change will be hard for the Clinic to bear, but it will certainly be a gift for the Center, because Jerry will be teaching Advocacy Evidence and Trial Practice.

Finding a gift in change is sometimes much harder. The second change the Center will experience this fall is the loss of its administrative assistant Mark Ensley. Mark has been with the Center

for almost three years, but he will be leaving as his wife, Monica Miller, pursues her Ph.D. in Louisiana. Mark has been instrumental in raising the Center's identity through his creativity, his technical savvy, his vision, and his encouragement. He has worked diligently with our adjunct faculty and has helped organize our many programs. On many occasions I have been amazed at Mark's resourcefulness. He is a whiz at all things technological and has used these skills to energize my presentations. If there is a gift in this change, it is that Mark will leave the Center in better shape than when he came.

—Penny White
Director



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