

**Projects on a Platter:  
Encouraging Young Lawyers to do Pro Bono**

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**Brief Description:**

This session will teach you how to engage at-risk high school students and partner with local professionals associated with the court system in order to expose these students to the legal and related professions in a positive manner, by participating in a mock trial that is conducted by the at-risk students. It will provide information on recruiting attorneys and judges to assist the students in “getting ready for trial” and during trial. The session will also discuss how to collaborate with local professionals and community agencies that have a connection to the court system, such as the Sheriff’s department, court reporters, local media, photographers.

**Topical Outline:**

- I. Target students
  - a. The backgrounds of at risk students make it more difficult for them to interact and succeed because they do not have the life experiences necessary to deal with situations most of us would consider “normal”
  - b. These are bright, talented students, who do not have exposure or encouragement to try new things or dream big
  - c. There is a need to keep these students engaged and in school
    - i. 75% of America’s prison inmates are high school dropouts (See Bibliography #1, below)
    - ii. If current trends continue, by 2040, 30% of our workforce will not have a high school education (See Bibliography #2, below)
  - d. Initial contact should be made with the local organization that specifically addresses the needs of at-risk students
  - e. Initial contact with school administrators may not be as successful as reaching those teachers actively engaged in teaching at risk students
    - i. Participation and support of the high school principal and teachers should be a priority in order to make the program a success
      1. this may be best addressed by the local organization or director of the at-risk student program

- II. Mock Trial curriculum
  - a. Texas Young Lawyers Association (TYLA), the public service arm of the State Bar of Texas, created and provides, free of charge, curriculum for mock trial and mock voir dire programs
  - b. TYLA does part of the work for you, by providing both civil and criminal scenarios and additional materials.
  - c. Contact the TYLA for materials (See Bibliography # 3 and 4, below)
  - d. Review the TYLA materials, including the video before initiating any program
  - e. Meet with the adult contact that will run the program from the school side (usually the Director of the at-risk program) and review the materials and develop a plan with that person
  - f. The Director of the at-risk program should carefully choose the students who will play the various roles in the mock trial
    - i. special care should be taken in selecting the students who will play the major roles in the trial, including the lawyer roles and the judges role
    - ii. the students' abilities and their confidence to conduct the trial in front of their peers should be taken into consideration
  
- III. Participation by Bar
  - a. Assistance needed by Bar members
    - i. Getting ready for trial
    - ii. At trial
    - iii. Judges and lawyers
  - b. Approximately 125 hours of attorney time is needed to coordinate the program and assist the students in trial preparation and at trial
    - i. There needs to be some consistency of attorney participation with at least 4 lawyers participation from the beginning through trial (2 for the plaintiff/prosecution and 2 for the defense)
    - ii. One-time meetings by attorneys with students are also helpful in further preparation for trial
    - iii. Students will need at least three separate meetings with lawyers to prepare for trial
      - 1. the plaintiff/prosecution team and the defense team will need the most preparation
      - 2. an attorney should meet with the students who will act as jurors and give the students an understanding of the importance of the role of the jury
      - 3. Witnesses will need separate meetings with attorneys or other professionals (such as the Sheriff's detective) to help them get ready to testify
  - c. Recruiting lawyers/judges
    - i. Obtain the support of the Bar Association executive committee and/or officers
    - ii. Contact lawyers through email and direct mail/faxes, requesting participation in the program to benefit the students

- iii. Personal contact is most effective in recruiting attorneys; also effective is emphasis on the fact that the program's focus is on at-risk students
    - iv. Once recruited, provide instruction to the attorneys/judges of what is needed/expected
    - v. Sample memos to attorneys and judges
  - d. Interaction with students
    - i. Attorneys need to be advised before meeting with students about the students' lack of social experiences, and what to expect
    - ii. Attorneys need to be advised of the limited vocabulary of the students and the need to choose terminology that the students will understand
    - iii. The amount of assistance will vary tremendously from student to student, based on their life experiences and confidence level
    - iv. The Director of the at-risk program will need to observe the interaction between attorneys and students to ensure effective communication

#### IV. Community partnerships

- a. There are numerous professions that interact with the court system that can be recruited to assist in the mock trial.
  - i. Professions to consider contacting: court reporter, local media (including newspaper and radio), photographers, sketch artist (for the artistically inclined students), paralegals, legal assistants, Sheriff's Department/Police Department
  - ii. This is a way of reaching those students who have different talents
  - iii. This is a way to expose all the students to more, varied professions
- b. Partnerships on projects for children seem to enjoy a good reception
- c. Remind the community partners that their participation provides more role-playing for the students in the mock trial
  - i. During trial, students can be the photographer, the local news reporter, the court reporter, the bailiff, etc.
- d. Recruit community partners to meet with the students before the trial to provide an overview of how their profession interacts with the court system
- e. Recruit those same community partners to attend a portion of the trial
  - i. The continued interaction with the students provides a consistency that the students need
  - ii. The continued interaction shows the students that the community is invested in this program and in them
  - iii. The continued interaction raises the exposure of the Bar Association and the local organization running the at-risk program
  - iv. The continued interaction can lead to longer term commitments to the students

#### V. The Mock Trial

- a. Coordinate with local judges to hold the mock trial in their courtroom
- b. Work with the same judges to assist in the trial preparation for the students

- c. Students play all the roles, including judge, lawyers, jurors, bailiff, audience, witnesses, family members, reporters, etc.
- d. Prior to the mock trial, test the equipment in the courtroom to ensure that the students' voices will be heard. Many of the students will be hesitant and quiet initially, and appropriate microphones should be used to project the proceedings to the audience
- e. Prepare an agenda for the day with anticipated timeline of events
  - i. Plan testimony for the morning
  - ii. Plan a lunch break
  - iii. Plan jury deliberations for the afternoon
  - iv. Consider presenting awards after the verdict is read
    - 1. awards should be given to all students participating
  - v. Panel discussion following testimony and verdict
    - 1. recruit attorneys and judges who have participated in the program to conduct a panel discussion following the verdict
    - 2. discussion should include addressing questions from the students
    - 3. discussion should include the importance of the judicial system
    - 4. discussion should include the encouragement for the students and their ability to do all the jobs they did in the mock trial
    - 5. set the bar high for these students to take the skills they learned/used in the mock trial, to achieve bigger and better things for themselves
- f. Prepare to have attorneys working with the 1) plaintiff/prosecution team, 2) the defense team, 3) the witnesses and 4) judge(s)
  - i. These attorneys will need to be available for the entire program to assist those students who may be hesitant
  - ii. An attorney will be needed to assist witnesses if necessary
  - iii. A judge should be recruited to assist the student judge in making rulings and conducting the proceeding
- g. Sponsors for breaks and lunch
  - i. When conducting an event for high school students, be prepared to provide morning and afternoon snacks and lunch
  - ii. Recruit local attorneys to sponsor the breaks and lunch
    - 1. attorneys who cannot give their time are often willing to provide financial support for the program
    - 2. have the Director of the at-risk program supply the snacks and/or lunch and ask for a budget of money before the event or invoice the sponsor since the Director is best able to gauge the needs of the students
    - 3. include the snack and lunch sponsors in any advertising
- h. Invite local "dignitaries"
  - i. Local elected officials should be invited to view the mock trial
  - ii. Introductions of the local officials should be made to the students and adults attending the mock trial

- iii. The students should be reminded that the presence of the local officials at the mock trial shows support of the program and the students
- i. Jury deliberations/proctor
  - i. Jury deliberations should be conducted in front of the bar, turning the plaintiff/prosecution and defense team area into the “jury room”
  - ii. All other participants and spectators remain behind the bar and remain silent during deliberations
  - iii. Student jurors should conduct their deliberations as though they were an actual jury with no interruptions from the audience and with no questions directed to the audience
  - iv. Consider having an attorney as a proctor to observe the deliberations from behind the bar, but be prepared to raise questions about issues not addressed by the students if the students come to a conclusion too quickly or all lean in the same direction; this attorney, in effect, plays the “devil’s advocate.” The attorney should not actively engage in discussion with the jury but merely prod them with questions/topics they might not consider
- j. Post-trial awards and panel discussion
  - i. See V.d.v above
- k. Follow-up with the students
  - i. One key to making the program a success is continued interaction with the students
  - ii. These students typically do not have role models in their lives encouraging them to stay in school
  - iii. A follow up party with the students and the attorneys who participated will reinforce the Bar Associations support of the students
  - iv. If video is taken of the trial, consider a movie party with students and the members of the Bar Association and community businesses professionals that participated
  - v. Repeating the program annually will keep the students engaged and maintain contact between the students and the local Bar Association

**Notes:**

Several days prior to the mock trial, consider a mock voir dire conducted by lawyers with students playing the jurors (jury roles are provided in the TYLA material).

**Website Links:**

1. <http://www.IDRA.org> Intercultural Development Research Association in San Antonio, Texas
2. <http://www.txsdcenter.utsa.edu> Texas State Data Center and Office of the State Demographer
3. <http://www.tyla.org> Texas Young Lawyers Association, PO Box 12487, Austin, Texas 78711-2487, (800) 204-2222, ext. 6429