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## Simulated Trial Garners Decision on Actual Case

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Students representing the plaintiffs in the mock trial included (from left) Megan Sutton '07, Allison Bannerman '07, registering an objection, and Anne Wilkerson '07.

#### Simulated Trial Garners Decision on Actual Case

April 26, 2007

BLOOMINGTON, Ill. – Illinois Wesleyan students garnered a \$7 million verdict for a plaintiff in a simulated trial Wednesday based on an actual court case.

Associate Professor Robert Kearney's business law class argued the real pending lawsuits of two families against Comcast cable company and a subcontractor in the case of the Chicago "cable murders" in the very real courtroom of the McLean County Law & Justice Center (115 E. Washington St., Bloomington).

In the actual lawsuit, which has not yet reached court in Chicago, families were seeking to hold Comcast and a subcontractor accountable for employing the man who is accused of raping and murdering two women while in their homes to install cable systems.

The jury, comprised of 12 volunteers from the community, heard arguments from students who took on the role of lawyers for the plaintiffs and defense. After deliberating an hour, the jury found only the subcontractor responsible, awarding the family of one of the victims the \$7 million decision. Student plaintiff attorneys argued the subcontractor was negligent in failing to remove the cable installer from duty after the first murder. The volunteer jury found Comcast not negligent in the case.

Students spent an entire semester preparing the case, just as business lawyers would. "Talk about getting practical experience," said Roxie Ransom, a junior business major from Brookfield. "I've always been interested in law, but now I have more of an inside view. I also have a lot more respect for what attorneys go through before a case ever comes to trial."

Students can spend 10 to 15 hours a week preparing for the trial. "They are graded on all elements of the case – all the pleadings and the ton of paperwork that is involved with getting ready for a case to come to trial," said Kearney, who added he was impressed with the students' performance in class.

Each team of student attorneys brought witnesses to the trial, who were volunteers playing the part of people involved in the actual lawsuit. Illinois Wesleyan student Lisa McKee was one of those volunteers, taking the part of a sister to one of the victims. McKee, a senior political science major from Homewood, Ill., stayed calm under heavy cross-examination from a fellow student who represented Premier, the company that employed the murderer. "I expected it to be this intense," said McKee, who has worked in law offices over the summer. "The rough part was trying to remember all the details of another person's life. I'm sure the people involved would have a better time remembering birthdays and dates."

To prepare for the case, students did everything a practicing lawyer does, said Kearney, including taking hours of depositions and filing complaints in front of McLean County Circuit Judge Elizabeth Robb, who has been presiding over cases for the class for the last four years.

"The students are top notch," said Robb, an Illinois Wesleyan graduate who agreed to let the cases into her courtroom because of the teaching opportunity they provide. "These college students are often as good as law students at making arguments. They are really involved in the case and you can feel their energy."

"This was a lot of work," said Patrick McWilliams, who defended the Chicago Police. A senior accounting major from Naperville, Ill., said he found the entire class helpful to him in his plans in the business world. "It was a great experience to go through the actual steps of filing motions and questioning witnesses. I'll be able to take this with me." The judge dismissed the suit against the police department before jury deliberations began.

Many of the students in the class are considering continuing on to law school, said Kearney. Unlike students in law school, the one case provides an overall look at what practicing lawyers face when it comes to preparing a case, said Kearney. "It gives students an integrated feel, not the piecemeal approach," he said, who was a practicing attorney for several years before turning to teaching, and coming to Illinois Wesleyan in 2002.

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