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Students Get Legal Lessons in Simulated Trial April 19, 2007

BLOOMINGTON, Ill. – Robert Kearney's final exam gets taken to court – literally.

As the final examination for the Illinois Wesleyan professor's business law class, students take a real case and argue it in front of a real judge. "We take cases that are ripped from the headlines, just like 'Law & Order,'" joked Kearney, associate professor and chair of business administration who has been teaching at Illinois Wesleyan since 2002. "It's much more interesting to do a companion case to something real and truly complex."



Students simulate a trial at the McLean County Law & Justice Center.

This year, the class will argue the case of the Chicago "cable murders," in which a cable installer was accused of raping and murdering two women while installing their Comcast cable systems. The students will deal with the suit against Comcast and a subsidiary contract company that employed the installer. The trial will be 1 p.m. Wednesday, April 25 at the McLean County Law & Justice Center (115 E. Washington St., Bloomington).

Though this is the first time the class has tackled murder cases, the trials for the last four years have similar qualities. "I always pick cases that are business-related, involve deep pockets and have complex litigation," said Kearney, whose past topics included a suit against the airlines for negligence in 9/11, and the Midway plane crash that killed a 6-year-old.

The business law class is unique and intense for students, said Kearney. The entire class is dedicated to one case with the 20 seniors planning and executing every part of litigation. "In law school, you take a class on how to file a complaint. You take another class on how to present yourself in front of a jury," said Kearney. "In this class, the students spend four months doing everything an actual, practicing lawyer does. There is nothing like it in any law school I know, not to mention an undergraduate class."

Students will take 15 hours of deposition from people recreating the roles of actual individuals. They will file complaints and attend hearings in front of a working judge. For the past four years, McLean County Circuit Judge Elizabeth Robb, an Illinois Wesleyan graduate, has been the judge for the case.

"I just received an e-mail from her talking about our pre-trial hearing," said Kearney. "She said listing to them, she sometimes forgets they are students and not real lawyers."

Kearney and Robb choose 12 community members to be the jury for the case. "This gets treated the same as would any real case," said Kearney.

The trial is scheduled for the last day of class, and this is no accident, said Kearney. "You will find lawyers spend about 120 days in pre-trial preparation and one day for the trial," he said. "It is truly representative of trial law."

According to Kearney, the class offers students not only an intense look at trial law, but a reality check. "Students come in to class with a preconceived concept of what it is to be a lawyer in their heads. But they leave with a respect for how much work is involved in a case before a lawyer ever sets foot in a courtroom."