



Feature

Gallaudet’s Mock Trial Program Helps Bridge Gaps between Hearing, Deaf, and Hard-of-Hearing Communities

By Heather Jung

Gallaudet University in Washington, DC, is the only university in the world at which all classes are designed to accommodate deaf and hard-of-hearing students seeking advanced education. In 2002, the school began working with the DC office of Heller Ehrman to establish the mock trial program. Aesha Bourouba, the marketing manager for the DC office at the time, created the program after hearing about the work the Madison office was doing with the University of Wisconsin. The program, which began in 2002, was initially intended to serve as an extracurricular activity for honors students. Today, however, the program is open to students from various majors, and each participating student is required to take a one-unit class as an introduction to the program. star Jayson Williams, and Robert Blake.



According to mock trial coach Brian Kaider, an associate at Heller Ehrman, the program is “an exercise in communication.” In a letter to recruit help from other attorneys at Heller Ehrman, Kaider says that “the purpose of the program is to explore the communication barriers and bridges between the deaf and hearing communities using a hypothetical lawsuit as an interesting vehicle for discussion.”

During the 10-week program, students learn about the trial process from Heller Ehrman attorneys. For the first nine weeks, students attend informational sessions every Friday. The attorneys teach students how to present their evidence, cross-examine witnesses, and present their arguments.

During the tenth week, students are allowed to demonstrate what they have learned by participating in a mock trial. Cases are provided by the National Institute for Trial Advocacy. Students are divided into two groups and run the entire trial from start to finish. Each group has a council table, where its members can discuss aspects of the case. An attorney is present at each table in order to guide the students. Other attorneys from Heller Ehrman act as witnesses, while Gallaudet students act as jury members.

In her Gallaudet blog, mock trial participant Robyn Girard describes her experiences with the program and the trial. As a member of the prosecution, Robyn was charged with trying to prove that the defendant, John Diamond, was guilty of murdering his girlfriend rather than “accidentally” shooting her “twice in the chest, with a five- to 10-second span between gunshots.” She goes on to describe her excitement when the guilty verdict was read and encourages Gallaudet students to join the program if they are given the opportunity.

While the program officially began in 2002, preparation for it began in 2001. David Penna, a professor in the government and history department at Gallaudet, has been involved with the program since its inception and was the creator of the one-unit class that prepares students for the program.

“The preparation course does several things,” Penna said. “First, because the participants come from a variety of majors, we need to have an introduction to how the legal system works; we give an overview of the trial process, the rules of evidence, legal vocabulary, and legal ethics. These are things that the students will need to understand their role in the program. A lot of what the Heller Ehrman lawyers handle in their program is related to the facts of the hypothetical case, strategy, and improving the arguments and questions that will be used during the trial. One other thing that we have tried to do is to have, as a part of our preparation course, a panel of deaf lawyers from the DC area come and explain their experiences in both law school and in practice. This doesn’t really prepare students for the program, but it usually provides a lot of motivation and excitement.”

Like the many students who have participated in the program, Penna is grateful for the work and dedication of those at Heller Ehrman.

“I am always thankful that Brian [Kaider] and the other lawyers are willing to do this program,” Penna said. “Actually, they are more than willing—they are enthusiastic about it. They devote so much time. The program runs Friday evenings from five to seven for about eight weeks, but they also are in contact with the students through email before the program and during the program and even after the program. I really think their commitment to this is just incredible.”

Kaider feels very passionately about this program. He believes that it provides students with opportunities they otherwise



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might not have known were available to them. Their success, he said, has been largely limited to the deaf community. Through this program, students discover that they can function, in a powerful capacity, in the hearing world.

"This program really changes peoples' lives," Kaider said.

One student, Andrew Phillips, decided to attend law school after participating in the program. Phillips, who graduated from Gallaudet last spring, participated in the program in 2003 as a college freshman.

"It was the turning point in my desire to pursue a law degree," Phillips said. "As a participant, the lawyers were impressed with my abilities and told me I had the right tools to become a skilled lawyer. I'd heard that before from high school teachers, friends, and even college professors, but none of their opinions carried the same weight as these high-paid and well-respected lawyers."

Phillips, like Kaider, feels this program provides hard-of-hearing students with great opportunities.

"As a college student, this program helped fuel my desire to attend law school," he said. "I had always wanted to become a lawyer, but it wasn't until this program and the positive encouragement from the lawyers that I became serious about this goal. For a lot of us, there aren't many opportunities to get to meet professionals or learn about the work lawyers do. Also, as somebody who is deaf and uses American Sign Language, opportunities for such interactions are limited. [The law firm provided interpreters for every class.] I always enjoyed conversations with these lawyers where I learned about what they do on a day-to-day basis and getting career guidance. There is only so much a classroom professor can tell you."

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