

Project LITIGATE

Lawyers Initiative To Improve next Gen Attorneys' Trial Experience

The LITIGATE Pledge

WE, the attorneys of _____ (firm), recognize that it is becoming increasingly difficult for aspiring trial attorneys to acquire litigation skills, and we further recognize that it is our obligation to encourage, promote and facilitate young attorneys' development of litigation and trial advocacy skills.

AND, THEREFORE, WE HEREBY PLEDGE to adopt, as far as feasible, the following practices to help prepare and train the next generation of trial attorneys:

- Provide a series of in-house educational/training sessions in which senior trial attorneys make presentations and/or lead discussion on all aspects of litigation skills;
- Regularly include less experienced associate attorneys in pre-trial activities such as drafting of pleadings, discovery planning, case strategy sessions, client and witness interviews, drafting of deposition questions, and witness preparation;
- Encourage associate attorneys to observe depositions, and then gradually over time allow them to assume an increasing degree of responsibility to conduct part or all of depositions;
- Encourage associate attorneys to observe oral arguments, and then gradually over time allow them to assume an increasing degree of responsibility to make oral argument to trial and appellate courts;
- Include associate attorneys as participants in the final stages of trial preparation;
- Include associate attorneys as members of the trial team and allow them gradually over time to assume responsibility for examining individual witnesses and eventually trying an entire case to a jury;
- Encourage associate attorneys to seek pro bono or other similar assignments which provide opportunities to acquire litigation experience; and,
- Institute a program, procedure or custom whereby associate attorneys receive regular feedback and critique as they perform each of the above tasks.
- Request trial judges to adopt practices which encourage the participation of young associates in motions and trial presentations.

