

By Margaret J. Krasnoff

Michigan High School Mock Trial Tournament

On a recent Saturday, the Oakland County Courthouse was humming with anticipation as lawyers, witnesses, and other interested persons gathered for the trial of *Mable v Clearwater Sheep and Cattle Company*. Will Mable's family would finally learn whether their claims for wrongful death and negligence against Aberdeen Angus's farming business would prevail.

The facts are sad and the issues complicated. Will Mable, 16, on an outing with friends to Fester County Park, swam in Murphy Creek, downstream from the Clearwater Sheep and Cattle Company, and was exposed to high levels of the parasite cryptosporidium. Three weeks later, Will Mable died as a result of that exposure. Will's parents blamed Aberdeen Angus for failing to properly dispose of waste materials on his farm, adjacent to Fester County Park, and allowing that waste, containing cryptosporidium, to discharge into Murphy Creek.

Aberdeen Angus, an ecologist and agricultural scientist as well as owner of the Clearwater Sheep and Cattle Company, vigorously defends his farm operation and disputes that the high level of cryptosporidium in Murphy Creek is due to run-off from his farm.

If you are scratching your head wondering why you haven't heard about this important case, you haven't followed the Michigan High School Mock Trial Tournament sponsored by the Michigan Center for Civic Education. The mock trial has been ongoing in Michigan high schools for 18 years, and the *Mable* case is the subject of this year's competition. More than 40 teams from across Michigan competed in regional tournaments held in Oakland and Kent Counties. Winners from the two regional competitions will compete for the State Championship on April 16 in Lansing, and one team will win



Students from Labser High School (Bloomfield Hills) engaged in a trial at this year's Eastern Regional in Pontiac.

the right to compete in the National Mock Trial Championship in Charlotte, North Carolina in May. In 1996, a team from Kalamazoo Central High School won the national championship.

Mock trial competitions are intended to bring together students, educators, and legal professionals to advance an understanding of the American justice system and the important role of lawyers in it. As one of many activities to promote that general purpose, the Michigan Center for Civic Education develops new mock trial case materials and sends them out to high schools around the state each fall. Cases are designed around situations that will appeal to students and raise important social issues.

Mock trial teams study the materials, learn relevant legal principals, develop the case, practice witness examinations, and prepare opening statements and closing arguments. Just like real lawyers? Yes, indeed. The results are inspiring and sometimes, humbling. These high school students arrive in court as articulate and prepared advocates for their clients, knowledgeable concerning the law of their case, and practiced in courtroom etiquette. Each team is prepared to try both sides of the case, and each team argues both sides during the competition. Even a casual observer of the mock trial can't miss the fact that these students are engaged in and enjoying this experiential, educational endeavor. They are poised, confident, attentive, and able to think on their feet as they respond to objections or unanticipated twists in the testimony. It is equally educational for the legal professionals who volunteer to sit as presiding judges and scoring judges during the competition.

Teachers, trustees of boards of education, judges, and attorneys who coach mock trial teams are uniformly impressed with them. Teachers talk about students who become practicing attorneys after having an interest in the law kindled by their mock trial experiences. Or, they note the self-confidence achieved when a student finds his or her way through an unforeseen problem in the mock

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trial courtroom. One teacher described the mock trial as a team sport, and an intellectual sport, played on a level field by boys and girls from schools small and large. The experience produces young men and women who have remarkable citizenship skills and who are unafraid to speak in public. They listen carefully for the best arguments on both sides of an issue, and they learn to win and lose with dignity.

From teachers, coaches, and students the verdict is unanimous: acquiring a working knowledge of our judicial system and the role of lawyers; developing analytical abilities, communication, and critical thinking skills; and a deeper understanding of citizenship are all results of mock trial participation. It's an



Ann Arbor Community High School team and coaches. They have been the Michigan champions the last two years, and finished fourth in the nation last year.

extra-curricular program deserving a spotlight and drum-rolls.

The Michigan Center for Civic Education is dedicated to continuing the Michigan High School Mock Trial Tournament despite a lack of designated funding in recent years for the program. Funding for this year has been pieced together with support from the Appellate Practice Section and the Litigation Section of the State Bar of Michigan, the Oakland County Bar Foundation, the Michigan State Bar Foundation, Justice Foundation of West Michigan, and individual lawyers and judges. Additional support can ensure that litigants like Will Mable's parents and Aberdeen Angus's Clearwater Sheep and Cattle Company have the representation they deserve to take their claims to court. ♦

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