

STUDENT • SPOTLIGHT

Mock trial competition draws record 48 participants

A state district court judge is found dead in his chambers. The cause of death appears to be a blow to the head. The evidence points to a high-profile lawyer. The motive? Revenge.

The case was orchestrated as part of the Quinnipiac intramural mock trial competition in September. This year, 48 law students competed—more than any prior year.

In the final round, the team of Alex Romano and Jeff Nichols (both third-year students) acted as prosecution against the team of Andrea Finan and Denise Graham (second-year students), on defense. Romano and Nichols won in a 2–1 decision. Judge Corinne Klatt of Bantam, Conn., along with Dean Brad Saxton and Chris Petter '09, former honor society president, judged the final round.

“It is noteworthy that, despite Andrea and Denise being 2Ls, they more than held their own against their more experienced counterparts,” said James Cresswell, president of the Mock Trial Honor Society, which hosts the annual event.

It was Finan’s first competition. Her strategy was to create reasonable doubt. She argued that the state’s primary evidence was collected in a rushed—and therefore sloppy—manner, and the probable cause of death was a heart attack. She backed up her assertion with forensic evidence collected during the autopsy.

Finan said her greatest challenge was inexperience. “We were prepared with the facts but did not know how to present evidence,” she said. Finan and Graham will partner again when they

compete at the Texas Young Lawyers Association National Trial Competition in February.

Individual awards went to second-year students Giovanni Ruffin (best opening statement), Matthew Zucker (best direct examination), Andrea Finan (best closing statement), and Jennifer Pulcini (best overall advocate); and third-year student Lauren Ross (best cross-examination).

“Both teams did an excellent job, and I was very proud to see how well they represented our school before our other guest judges,” said Brad Saxton, dean and professor of law.



Andrea Finan, left, and Denise Graham review defense strategy during the mock trial competition.

Personality disorder inspires moot court arguments

Twelve Quinnipiac law students had the chance to polish their skills at the Dean Terence H. Benbow Intramural Moot Court Competition in October. The Quinnipiac Moot Court Honor Society hosts the annual event, which provides a forum for students to gain courtroom experience at the appellate level.

This year’s case examined the question of what constitutes an actual disability under the Americans with Disabilities Act. The plaintiff, a web site developer, was diagnosed with avoidant personality disorder, a rare affliction that made it difficult for him to interact with others. After being fired, he filed a discrimination lawsuit against his former employer.

The employer maintained that an inability to interact with

others is not covered by the ADA because it is not a “major life activity.” The court found in favor of the employer and dismissed the complaint. The plaintiff appealed.

The students were tasked with conducting the appeals. Citing examples from existing Supreme Court cases, the students who argued in favor of the appellant built their case around the notion that major activities are those activities that are “of central importance to daily life and that ‘interacting with others’ qualifies.”

Those who argued against the appellant took the opposite view, saying that the affliction did not qualify because the definition is too amorphous. “Walking and breathing are two obvious examples of major life activities. However, whether someone has the ability to interact with others

is much more subjective,” explained Amanda Gordon, third-year law student and president of the Moot Court Honor Society.

Second-year law students Lisa Vincent (representing the employer) and Eryk Furman (representing the employee) advanced to the final round. Vincent was declared the winner by a 2–1 vote of the judges. The final bench took place Oct. 14, in the Grand Courtroom of the School of Law. The panel of judges included Chase Rogers, chief justice of the Supreme Court of Connecticut; and Joseph P. Flynn and Thomas A. Bishop, both from the Appellate Court of Connecticut.

Vincent will represent the law school in the ABA Appellate Advocacy Competition in February.

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Teams display trial lawyer skills

In the fictional city of Mount Carmel, a missing person's case escalates into a murder trial when a woman disappears from her home, leaving her 2½-year-old son (the only witness) unattended. The evidence implicates the victim's husband, who is charged with the crimes of murder, risk of injury to a minor, tampering with evidence and interfering with an officer.

The case went to trial as part of the 10th annual Criminal Justice Trial Advocacy competition Oct. 31-Nov. 1. Law students from around the country competed, including students from Quinnipiac School of Law, Creighton University School of Law, University of Denver Sturm College of Law, Fordham University School of Law, Georgia State University College of Law, Georgetown University Law Center, the George Washington University Law School and Loyola University New Orleans College of Law.

The Quinnipiac team included third-year students James Cresswell, Kara Hinesley and James Belforti and second-year student Jennifer Pulcini. Third-year student Abraham Hurdle served as an alternate. Belforti won the award for best closing argument.

"We had a very good showing, finishing fifth after losing a tie-breaker that would have advanced us to the semifinals," said Cresswell, who is also president of Quinnipiac's Mock Trial Honor Society.

Quinnipiac faced teams from Fordham and Loyola of New Orleans, the two schools that reached the final round. Loyola of

New Orleans was the overall winner.

"Victory is based not on the merits of the dispute but rather on who better demonstrates the skills of a trial lawyer in the various phases of the trial," explained Dean Brad Saxton. The teams were awarded points for their direct and cross-examination of witnesses, as well as their opening statements and closing arguments.

Students arguing for the defense focused on the victim's drug contacts and the possibility that she was kidnapped, whereas the prosecution relied on several key pieces of evidence, including forensic evidence from a scientist who, unfortunately, was not available to testify.

"I was adjusting my arguments up to the final moment, trying to plan for every contingency. When you get to these competitions, you can't be completely scripted. That is what's good about competitions in general—they give you real-world experience," said Belforti, who acted as prosecution.

The competition fact pattern was created by third-year law student Keith Zackowitz, who is a member of Quinnipiac's Mock Trial Executive Board and president of the Student Bar Association.

Quinnipiac Law Professor Elizabeth Marsh, who oversees the criminal law and advocacy concentration in the School of Law, directed the annual competition.

The event is co-sponsored by the Quinnipiac University School of Law and the Criminal Justice Section of the American Bar Association.



Left to right: law students Ryan Cleckner and Brian Gregorio started a Veterans Advocacy Group at the Quinnipiac University School of Law.

Group to advocate for veterans

When first-year law students Brian Gregorio and Ryan Cleckner discovered that none of the nearly 30 active student organizations at the School of Law focused on the needs of U.S. military veterans, they took it upon themselves to found one.

"With two wars going on, it is amazing that veterans are still such an underrepresented demographic," said Gregorio.

The purpose of the Veterans Advocacy Group is to encourage students to learn about civil-military legal relations, military legal careers and veteran-specific issues. The group, which held its first meeting in October, also will provide resources to combat veteran post-traumatic stress disorder.

Gregorio, a former U.S. Army Military Intelligence interrogator/linguist who completed his three-year term in June, is the vice president of the veterans group and a member of the Student Bar Association.

Ryan Cleckner, the group's president and a former sniper in the First Ranger Battalion, said the goal of the group is to raise awareness, give veterans a sense of community and aid the region's veterans through community service.

"It's nice to have allies on campus," he said. "We have been amazed with the amount of support we have received from the law school community."

The organization, which had more than a dozen active members within three weeks of its formation, has already begun to touch the lives of veterans through volunteer work in the area.

"A classroom is very far removed from a battlefield, and it is important to remember there are men and women serving in harm's way for us," Cleckner said.

The advocacy group is open to any of the 418 law students currently enrolled at Quinnipiac, though the organizers hope to reach out to other universities.

Guided by empathy

Tyler drawn to public interest law

By *Alejandra Navarro*

Even with the law on your side, it's not easy to procure safe housing, third-year law student Erika Tyler learned. While working at the New Haven Legal Assistance Association last year, she represented a couple whose two children got lead poisoning from paint chipping off their apartment walls. One child now has developmental disabilities.

Still, it took nine months and many meetings with local officials and the landlord before Tyler could get the city to condemn the apartment and provide financial assistance for the family to relocate.

When she visited the family's new home, she knew her time was well spent. "Not to say everything is perfect, but people underestimate the value of having a safe place to call home," explains Tyler. The family came to her through the NHLA's Health-Law Partnership for Families, also known as HeLP. Through the program, doctors at the Hospital of Saint Raphael refer families that may have health-related legal issues to volunteer advocates at Quinnipiac's Civil Clinic like Tyler.

The successes during her year at NHLA were few, Tyler admits. That only cemented her desire to enter an area of law where she can represent low-income families. "These families found their way to me; there are thousands of others who don't," she says. "If I can't make something happen, how are they ever going to make something happen?"

Her work in New Haven sparked policy change—the city is reviewing lead laws and its relocation program—as well as personal change. "The dad was able to get a job, which he still has," adds a newly married Tyler. Her wedding took place on Dec. 19 at her alma mater, Boston College, where she studied business.

Tyler intended to follow in her father's footsteps and enter the financial world. After participating in service activities, she decided to pursue a career helping people through the law.

"I believe you should be living your life to serve others," Tyler says. "It's the way I feel most fulfilled."

She has had her disappointments. She remembers having to summon the courage to tell one client that he would not receive Social Security benefits he desperately needed and to which she felt certain that he was entitled.

"I knew how much he was depending on me," says Tyler, who admits she sometimes becomes emotionally invested in clients.

She is always honest. When clients are reluctant to report housing code violations because they fear eviction, she explains that it's illegal for the landlord to do that. Knowing the possibility exists, she adds, "I can't guarantee anything, but we hope for the best."



Tyler is president of Quinnipiac's Public Interest Law Project, which raises money for law students to work in the area of public interest at organizations such as NHLA and the state's Public Defender's Office. This year's PILP auction will be held on March 4. She also serves on the New Haven County Bar Association's Public Service Committee.

In addition to civil law, she also is considering entering criminal law, possibly representing the homeless and people with drug addictions and other problems. Some people might dismiss their plight as being of their own making. Tyler, who volunteered at a shelter, has compassion for them.

"In many cases it's a really complicated story that leads people to be homeless or on the verge of homelessness," she explains. "When you have an inclination to stand up for a particular group, one that receives the least sympathy, you should follow that inclination because there aren't very many people who feel that way."

Alumni who'd like to donate items or participate in the auction can contact Kristen Mengold at 203-582-3403 or kristen.mengold@quinnipiac.edu.