# Carnegie Integration through Simulations

## The Discovery Practice Example

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# A Curriculum Design

1L: "Read and Learn"

2L: "Learn and Do"

3L: "Do and Practice"

# Learn and Do

- Reading about the rules; how they work and how they are applied (lean back)

- Reading the rules and cases online (lean forward)

- Class is about that material, and discussion, with students teaching part of each class

- All in the context of the mock litigation

# The Case

- Products liability drug case with unequal parties, 8 witnesses, and multiple documents

- Plaintiff: Olympic hopeful snowboarder

- Defendant: Massive Pharmaceutical Co.

- Each student is assigned to represent plaintiff or defendant and to an opposing counsel

- They also play a witness and are given part of the file

# Class to class

- Class: Interrogatories

- Assignment: Draft a set of interrogatories and serve your opposing counsel

- Next class: Answering Interrogatories

- Assignment: Draft a response to the set you received

- Etc. through the course

# Depositions

- Take, Defend, and Act as a Witness

- Student Court Reporters come with their machines and produce a transcript in a week

- Video excerpts on the ETL site

# Settlement

- Final class: Settlement meetings

- Final assignment: jointly prepare and file the settlement agreement

- An "ill-structured" problem, with a range of acceptable results

- Video excerpts on the ETL site

# Other Components

- They maintain a case file

- They use CaseMap to keep track of facts, documents, theories, and issues

- They use File & Serve (online) - the same system used in Colorado and many other states.

- With each discovery document, they prepare a memo to me explaining Process, Strategy, and address professional identity formation

# Other benefits

- Simulations allow for mistakes

- Allow you to slow down where needed

- It is not didactic, it's a community of learning

- It is not one class where ethical issues are addressed, it's every class, every exercise

- Confirms normative behaviors in the cohort