

Law School's Missed Lessons: Supporting A Trial Team

By **Lucy Zelina** (June 4, 2025)

While law school teaches everything from civil procedure to stare decisis, there are some aspects of practicing law that aren't covered during the three years that lead up to the bar exam. In this Expert Analysis series, attorneys offer advice on navigating real-world aspects of legal practice that are often overlooked in law school. If there is a professional skill you would like to write about, email expertanalysis@law360.com.

Most cases never go to trial. And when they do, especially for complex or high-value cases, a junior associate is unlikely to be standing up to give an opening statement or question key witnesses.

So, what is a junior associate's role in trying a case?

In law school, if you were given the opportunity to learn trial practice at all, it was probably in a scenario where you were acting as a lead trial attorney — questioning witnesses, arguing objections, etc. But for many, those opportunities will not come until after a few years of practice.



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Your ability to banter with an expert or bond with a jury is great, but as a junior associate, your ability to keep things organized, answer your trial attorney's questions about the case on the fly, and handle whatever is thrown at you is better.

Knowing the law is great, but knowing the facts is even better.

When I first started practicing, someone told me that the best way for an associate to make themselves invaluable is to know the facts of the case. It seemed strange, because I had just spent three years in law school learning the ins and outs of legal doctrine and procedure. But it turns out, this advice is true, and even more so when a case reaches trial.

By the time you show up for voir dire, most of your case's big legal issues should already be resolved. Summary judgment briefing has come and gone, hopefully you have rulings in limine, and you can anticipate potential issues for directed verdict and do much of the legwork ahead of time based on anticipated testimony. What should be left are issues of fact — the whole reason you are putting the case before a jury.

Sure, some legal issues are bound to come up, like objections to lines of questioning or discussing jury instructions at a midtrial charge conference, but odds are that your team's lead trial attorney has handled this before and can do so comfortably again. However, even if this is the lead trial attorney's 1,000th contract dispute or their 100th time defending a particular product, the nitty-gritty of what happened will always be unique.

Knowing that nitty-gritty makes you invaluable. You cannot control the facts, but you can know them better than the people on the other side of the courtroom. When the other party's expert raises a small fact or opposing counsel pursues an unexpected line of questioning, your ability to know what they are talking about and provide context will allow your lead trial attorney to respond quickly and effectively.

This also ties into another valuable role in the courtroom — what I think of as the "stuff" person. Whoever can most quickly locate a snippet of deposition testimony or spare copies of an exhibit in a sea of exhibit boxes and witness binders is the one who keeps things moving. Knowing the facts of your case will make you better at this, too.

If you know which witness said what at deposition, you will immediately know what transcript to pull. This will keep your trial attorney, the judge and the jury happy.

Learn your trial team.

In law school, "learn your professor" is a mantra I heard again and again. Do they prefer underlining or italics for case citations? How much detail do they prefer when asking you to state the facts of a case? This skill is transferable to your trial work.

Learn your team, especially your lead trial attorney. Does your trial attorney prefer color-coded outlines or yellow highlighting only? Do they want fully formed questions or just bullet-pointed prompts? Do they prefer their materials printed or digital?

When you are preparing materials for someone else to use, their preferences matter. Do not misunderstand: These things alone are unlikely to make or break your case. But giving your lead trial counsel materials best suited to them and their style will allow your team to present your case seamlessly and with polish.

This could tip the scales between a jury liking and respecting your trial attorney or not. And, more importantly, your team's ability to tell your side of the story with ease could influence whether the jury believes it.

Let go of your ego.

You spent four years in college and three years in law school to become a lawyer, and now you are being asked to make copies. Do not let your ego get the best of you. Take the assignment, make copies and maybe make one extra copy just in case (you never know when you might need it).

You can spend a thousand hours preparing for trial, but there will always be surprises, something you forgot or something that does not work as expected when you get to the courtroom. When that happens and there is a witness on the stand, the best thing you can do is to jump in and do what needs to get done, regardless of whose job it is. It will not go unnoticed.

Maybe one day you make copies, but the next you might be asked to track down a witness who has wandered off. And, when you do that well and without complaint, you might be asked to handle preparation for a nervous witness or to rework a cross-examination outline.

It seems obvious, but if you prove you can get things done, then your team will trust you to get things done. Soon, you may need to let go of your ego again, but this time to ask for help with an assignment that is beyond your comfort level. Embrace this too.

Go back to the basics.

All in all, when in doubt, just go back to the basics: Work hard, ask questions, dig into your

case and be a team player. When the next trial rolls around, you may be the team's first call.

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