

To: The AMTA community
From: The Civil Case Committee
Date: April 21, 2014
Re: 2014-15 Case

We have decided that *Lee v. Sawyer College* will not be one of the cases for the 2014-15 season. We know this decision will be welcomed by some. But we also know that it will be questioned by others, and we wanted to provide an explanation for our decision.

The announcement of a case involving the death by suicide of a college student has triggered a substantial discussion within the AMTA community. A number of people have reached out to us directly, and we know that many more have posted thoughts on various websites or had discussions with people not on the case committee. We appreciate the seriousness of the issues that have been raised, the time so many people have taken to do so, and the civil and productive tone that has characterized the overwhelming majority of the discussion.

We knew, of course, that a case involving suicide would raise unique challenges and difficulties. The committee had numerous discussions about this issue and established specific guidelines for drafting a problem that would be respectful, non-exploitive, and realistic. We consulted mental health resources and actual cases and also reached out to various organizations that deal with suicide prevention, students in distress, and related issues. Our hope was to prompt discussion and raise awareness of issues that often remain in the shadows and perhaps even to provide resources to students who might otherwise not have them.

Campus suicide and student mental health are critically important issues that often receive far too little attention, whether because of lack of information, stigma, or other reasons. We know other AMTA cases have touched on issues that hit close to home for some participants, such as drunk driving, the death of a small child, HIV/AIDS, and a racially charged shooting. We also know that three of our previous ten cases (*Walton*; *Jeffries*; and *Kissner*) have involved suicide in some manner. We understand that the real-life practice of law often forces lawyers to confront difficult and emotionally charged issues, and we appreciate the perspective that AMTA cases need not and should not be any different in that regard.

That said, we are persuaded that the case we originally planned is neither feasible nor appropriate at this time. The reason is not because the case was controversial or that there was opposition from some quarters; AMTA case committees often seek to address sensitive social issues. That said, a number of students and other participants have advised us that a case problem involving campus suicide would cause them significant pain and discomfort and may by itself be sufficient to prevent their participation. Moreover, our conversations with mental health professions, concerned

individuals, and each other have underscored the existence of a significant---and, perhaps, inherent---tension between creating a fact pattern that is both, on one hand, adequately sensitive to the highly charged subject matter and, on the other hand, effective as a mock trial case problem. We also are aware of questions about whether the inherently adversarial litigation process is the best way to raise awareness of sensitive social issues. It may ultimately be possible to walk such a tightrope. But we do not think it would be appropriate to attempt to do so without the most thorough consideration and careful guidance from those who are experts in these matters.

The 2014-15 case will still be released, as scheduled, on or before August 15. Thanks again to all who provided feedback, and please don't hesitate to contact us at amta.civilcase@collegemocktrial.org if you have any questions.