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FACULTY AND STUDENTS DEBUT NEW INTERNATIONAL TRIAL ADVOCACY COURSE AT THE INTERNATIONAL CRIMINAL COURT, THE HAGUE, NETHERLANDS

June 22, 2017 — Penn State Dickinson Law’s Center for International Trial Advocacy conducted a training program on international trial advocacy earlier this month for more than 20 members of the International Criminal Court Bar Association (ICCBA) at the International Criminal Court (ICC) in The Hague, Netherlands.



A unique, collaborative effort between Dickinson Law and the ICCBA, the first-of-its-kind program was created by Dean Gary S. Gildin, Professor of Law Dermot Groome and four Dickinson Law students to help lawyers practicing before international tribunals cultivate and improve skills in developing a legal theory in an international criminal case, and use that theory to develop focused, effective openings, examinations and closing arguments.

“This program supports the quality of international justice by building the particular trial competencies required of lawyers before the world’s international courts, thus furthering Dickinson Law’s mission of practice greatness,” Gildin said.

Groome, who teaches international criminal law and is a member of an expert group advising State Parties to the ICC, directed the program. He played a leading role in five international criminal trials before the International Criminal Tribunal for the former Yugoslavia (ICTY), including the *Milošević* and *Mladić* cases.

“United States and foreign law schools train lawyers to be effective advocates in their national courts, but no school has yet undertaken the study of international trial advocacy and to train lawyers specifically for these courts,” Groome said. “While there are similarities between domestic and international trials, there are also important differences. These cases are often much larger than any domestic case, as they involve different bodies of international law and use different trial procedures and rules of evidence.”

Gildin and Groome adapted the techniques and training methods they have both used as United States lawyers to the particular challenges of trying cases before international courts. Practitioners from different international tribunals, courts and jurisdictions had access to the actual courtrooms used by the ICC. Participants dressed in official court robes and used the court’s electronic evidence systems to call up

evidence during their examinations. Senior members of the ICCBA presided over the courtroom proceedings and helped ensure they were realistic simulations.

“The basic principle behind the training is to immerse the trainees in a realistic courtroom experience and provide them with a critique of their performance with an opportunity to try skills repeatedly until they feel comfortable in the ICC courtroom,” Groome said.

“This training—the first specialist advocacy course of its type to be held at the ICC—was a concentrated course in adversarial advocacy and provided a significant contribution to improving the standards and abilities of trial lawyers engaged in international criminal law work,” said David Hooper QC, president, ICC. “The ICCBA is proud to be associated with this initiative by Dickinson Law and the impressive work done by Dean Gildin and Professor Groome in fashioning this unique and groundbreaking course.”

During the daily lunch break, experienced lawyers gave presentations on some of the other competencies that are essential for practicing before international courts. Presenters included Dr. Guenael Mettraux, judge, Kosovo Specialist Chambers and Professor of Law at the University of Amsterdam, The Netherlands; Iain Edwards, barrister, 1MCB Chambers, London and defense counsel at Mechanism for International Criminal Tribunals; Leigh Lawrie, advocate at Faculty of Advocates, Edinburgh; Grace Sullivan, trial support assistant at the ICC; and Peter Haynes, counsel at Special Tribunal for Lebanon, The Hague. Participants also had the opportunity to hear Judge Joyce Aluoch, vice president of the ICC and Judge Howard Morrison, president of the Appeals Chamber present their views on what they considered to be good courtroom advocacy before the ICC. Immediately afterward, Dickinson Law hosted a reception attended by other judges and experienced practitioners, providing participants an opportunity to speak with the judges in a more informal setting.

Maria Manolescu, a case manager on one of the defense teams at the ICC, said the training presented a perfect balance of theory and practice. “I greatly appreciated having a safe space to try new approaches and receive feedback all throughout from both trainers and participants, which is a very rare opportunity for those practicing in front of international courts—especially on the defense side,” Manolescu noted. “I left the training more motivated and confident that international justice is the right path for me, and more determined to continue learning and improving all throughout.”

A practicing attorney in Jordan for 15 years, participant Bisher Alkhatib said he would advise every lawyer to attend the training regardless of how long they’ve been in practice. “I was introduced to new techniques in trial advocacy and also pruned my old skills,” Alkhatib said. “This program gave me a big push in my career, and I can’t wait to see the results of what I have learned in my cases.”

Groome said that he hopes all training participants have increased confidence that they can effectively and efficiently represent a client before the court. “This was a great opportunity to contribute to the important mission of the ICC by helping those who hope to practice before the ICC be the best advocates they can be.”

Rising third-year Dickinson Law students Robert Daniell, Tanner Jameson, Adam Kohl and Erin Varley began working with Groome in May 2016 to develop the training content. They spent nearly one year meeting weekly and developing a mock case modeled on actual ICC cases. The casefile “The Situation in Aquadia, The Prosecutor v. Jordan Ballister” included 17 witness statements, dozens of exhibits and key procedural documents. The students traveled to The Hague to assist Gildin and Groome with the training at the ICC, where they served as witnesses and were cross-examined by training participants.



“It was both motivating and humbling to work with people who were so dependable, hard working and passionate about the project and their personal development as advocates,” said Jameson. “While creating a fictional case was fascinating, it also proved to be extremely challenging. It was very rewarding to see what we learned in Professor Groome’s International Criminal Law class last semester emerge throughout the development of the course.”

In addition to receiving a crash course in international criminal law, the students said immersion in the project helped to improve their research and writing skills.

“The largest spillover in creating this training has been the opportunity to work with Professor Groome to improve my own trial advocacy skills,” Kohl said. “This has really improved my trial advocacy abilities and has boosted my confidence when working in the courtroom.”

Groome believes that this was an extraordinary occasion for law students to spend so much time in and around the ICC. “They had opportunities to meet and speak with judges from the ICC as well as lawyers who practice before it. Each of them has an interest in the field of international law, so this was the perfect time for them to explore that further and make professional connections.”

This has not gone unnoticed by any student involved in the project.

“This has been the highlight of my law school career and by far the biggest learning piece I’ve ever experienced,” Varley said.

Jameson echoed Varley’s sentiments. “Seeing the ICC in person and participating in training the advocates who practice there was truly an experience of a lifetime.”

This fall, three Dickinson Law students will intern at the ICTY and the United Nations Mechanism for International Criminal Tribunals—both located in The Hague, Netherlands—as part of Dickinson Law’s [International Justice Program](#). Working closely with senior prosecutors, students participate in some of the most significant international criminal cases being prosecuted today. [Learn more](#) about this program.

Top photo: Rising third-year Dickinson Law students Erin Varley, Tanner Jameson and Adam Kohl (far right) with Dean Gary S. Gildin (center) and David Hooper QC, president of the International Criminal Court

Bottom photo: Rising third-year Dickinson Law students Adam Kohl, Robert Daniell, Tanner Jameson and Erin Varley began working with Groome in May 2016 to develop the training content. “It was both motivating and humbling to work with people who were so dependable, hard-working and passionate about the project and their personal development as advocates,” said Jameson.

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