

Mayer Brown Attys Bear Witness To Immersive Depo Training

By Tracey Read

Law360 (November 26, 2025, 12:03 PM EST) -- Jacqueline Mancini has never taken a deposition, but she became better prepared to do so through a two-day deposition skills workshop program for Mayer Brown LLP litigation and intellectual property associates.

Mancini, a litigation associate who rejoined the firm in December after spending two years as a law clerk for the U.S. District Court for the Eastern District of New York, was one of 23 U.S. junior and mid-level associates to participate in the D.C. workshop in early September. The program included two pre-workshop webinars, sessions on case theory, witness preparation and deposition role-playing, in which participants took or defended the deposition of a witness played by a paid actor. A litigation consultant also provided performance feedback.

Mayer Brown said it invests the resources to bring in actors to play the witnesses so the associates can get near-real life experience in taking and defending depositions — with immediate feedback from Mayer Brown faculty and coaches. The firm has been hosting the workshop for over 20 years to help associates sharpen their deposition skills



Litigation and intellectual property associates from Mayer Brown LLP's Chicago, Houston, Los Angeles, New York, Salt Lake City and Washington, D.C., offices recently participated in a two-day deposition skills workshop in D.C. (Courtesy of Mayer Brown)

Helpful Feedback

"This guarantees that we'll all have an opportunity to practice in real time, and you really take ownership of it in a way that may not happen on a real case right away for you," Mancini said.

Her mock deposition involved a breach of contract dispute between a manufacturer of computer parts and the maker of a phone-charging device. The smaller company needed microchips made by the larger company, she said. There was a question over whether insurance was supposed to be provided for the shipment, which got lost, causing the smaller company to lose business. The dispute was mainly about the terms of the contract and what was agreed to — because a lot of it wasn't in writing — and who was telling the truth about what was said on the phone.

"The actors really get into it," Mancini said. "One of the people playing the CEO of the defendant really didn't want to give anything. And really sort of played the part of, like, 'I'm too busy to be here sort of thing,' which is realistic."

Sitting in on real-life depositions can be helpful. But Mancini said experienced attorneys are focused on getting the facts for their case, so you're not seeing much of the thought that goes into their line of questioning to the opposing party or witness.

"Whereas in these sessions, you can really break it down and right after you're done, they can say, 'All right, clearly, you got stuck on this one topic with this witness, let's break down why that happened, and how next time, you can get the answer you're looking for,'" she said.

Mancini said she received helpful feedback on how to get past a difficult witness by trying to reframe the question to get back to the point and not let the witness steer the conversation.

She was also advised on how to not let herself get rattled, and to avoid vocal tics that make it look as if you're agreeing with everything that the witness is saying.

"I was tending to say, 'OK' at the end of every response, which you don't want a record of you agreeing with the witness, necessarily," she said.

Invaluable Experience

Henninger "Hank" Bullock, partner and co-leader of Mayer Brown's global litigation practice, said he went through an iteration of the program when he joined the firm in 2001.

"I actually ended up taking, by complete accident and happenstance, my first deposition before I had this training. And so, I really didn't know what I was doing. Thankfully, the witness on the other side didn't know either what was going on, and so we both made our way through it," Bullock said.

But he found that the training taught him how to ask the right questions and how to effectively follow up on the answers given, not simply focus on the outline that's in front of you.

"Because we've got Mayer Brown partners and more senior lawyers involved, there's the opportunity to get real time feedback from a cross section of people," Bullock said.

The fact that no one lawyer has the same style is a plus at training, he said.

Bullock has served as a deposition training faculty member in the past — providing input on who should attend and what the structure should look like. Although this year's training was held in Washington, D.C., Bullock said the firm rotates between offices each year.

Upping Your Game

Litigation partner Jarman Russell participated in the program 13 years ago and found that reading or hearing about taking a deposition can't prepare you for the experience of asking a witness questions.

"Until you actually do it and have a witness answer a question in a way that you didn't expect them to

answer, and now you have to figure out what to ask next and how to do that and approach it, there's just no substitute for that," he said.

Russell said the feedback from attorneys and practitioners who have done depositions previously is helpful, as well as notes from a nonlawyer coach focused on how you present yourself and look on camera.

"Once the witness answers, how is your cadence? Are you talking too fast? Are you talking too slow? How can we improve your presence on camera and interacting with a witness? And that's more like an acting coach, almost, to enhance that skill set, as well," Russell noted.

The training is designed to help with both in-person depositions and virtual.

Russell said the actors themselves serve as de facto coaches, too. He remembers many of them from when he was going through the training.

"They know the material backwards and forwards," he said. "They've done it many, many times, and they themselves are a source of feedback for the associates, as well. On a break, they'll say, 'That was a really great question. You really kind of got me back on track.'" Russell said teaching the material has led him to improve his own skills by hearing other perspectives from faculty and colleagues.

Mancini said as an associate, she was grateful the firm allows participants the opportunity to take the time to focus solely on the training.

"It's just really helpful to have that safe space to practice, where the stakes are low, and you can really try different things out," she said.

--Editing by Amy French.