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The **Next Generation**
Rising stars of the trial bar

Looking to the future: 10 trial lawyers on the rise

There's a special breed of lawyer that thrives on the courtroom battle.

For them, arguing a case in front of a jury can be the most thrilling aspect of practicing law.

Every generation has seen its gifted trial lawyers. And while there may be fewer opportunities today — particularly in the civil arena — than there were for the lawyers who honed their trial skills in the courtroom decades ago, there are promising young lawyers who are rising above that challenge.

Chicago Lawyer spoke with veteran trial lawyers, law firm partners, judges and other prominent people in the legal community to find some of the stellar trial lawyers of the next generation, those in their 30s and early 40s who bear watching in the years ahead.

There are many young trial lawyers who are showing excellence in the courtroom. We believe the ten profiled here are among them.

Aiju C. Thevatheril

Aiju C. Thevatheril has a two-part modus operandi for defending doctors and hospitals accused of medical malpractice.

First, know more about the medicine at issue than the opposing counsel. Second, strive to know at least as much medicine as the expert you're about to cross-examine.

That second part, he said, is key.

"In that particular area of medicine, you should know at least as much medicine as that physician who has gone to medical school," Thevatheril said. "You're never going to match their knowledge base, but you should at least try to match their knowledge base."

With that goal in mind, said Thevatheril, "You hit the books hard. You hit them just like a physician who is in subspecialty training."

That's likely what he would have been doing if he had chosen to enter medical school, an idea he was contemplating in college.

But Thevatheril, who emigrated from Bhopal, India, to the U.S. when he was a teen, wanted more.

"If I went to medical school, I would've just been doing medicine. This allows me the opportunity to get up and speak in front of a jury, and talk about medicine as well as law," he said. "I love it. You get the intellectual fulfillment of learning new areas of medicine, and then putting them together with law."

"Trial work is great because you get to be an advocate for your client's position. It's my job to explain the different concepts of medicine to the jury and make hard-to-understand concepts easier to understand," he said.

At 34, Thevatheril, now a partner at Swanson, Martin & Bell, has built a knowledge base in obstetrics and neonatal medicine as he has carved out a specialty in birth trauma cases.



Aiju C. Thevatheril

Age: 34

Position: Partner in Swanson, Martin & Bell

Law degree: DePaul University College of Law, 1999

Inspiration: "Larry Helms has been a huge inspiration in my development as a trial lawyer. Kevin Martin is another guy. Kay Schichtel from my office, Dick Donohue at Donohue Brown, and Mike Morrissey from Cassidy Schade. There are good plaintiff's lawyers too ... You take some things from those people, and see if you can work with those, but you've got to have your own unique style."

"I'd like to do the same with my other areas of medicine — radiology, pulmonology, orthopedics — all the different specialties," said Thevatheril, who also practices in the areas of product liability and health care law.

At his firm, he has been selected to work on major cases alongside senior med-mal defense attorneys such as Kevin T. Martin.

"He's impressed the heck out of me. To tell you the truth, he knows more than I do in terms of the medicine," Martin said. "He has an affinity for medicine. This guy understands all aspects of it. Not just birth deliveries, but also the chemical processes that go on."

Thevatheril, who estimates that he has had a hand in about a dozen medical malpractice trials and numerous out-of-court settlements, has also impressed those he has opposed.

Kevin G. Burke, a plaintiff's lawyer and a name partner in Burke Mahoney & Wise, said Thevatheril has exceptional skills in bringing a case to trial.

Plus, Burke said, Thevatheril has the type of personality that a jury will like.

"He's open, very straightforward, and very honest," he said.

In his firm, the young trial lawyer has also gained the confidence of clients.

"You can't take a case to trial if the client says you're too green. He's beyond that point," Martin said. "I have seen him evolve, I've seen his judgment sharpen, and I've seen his analysis become more keen."

"He knows his stuff backwards and forwards," Martin said. "Within the next decade, he certainly will be up there with the name brands, the more marquee names."