

LEGAL SKILLS (LAW 338.1)**SPRING 2019**

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Class Meeting Time: Monday 9:25, 10:50

Office Hours: By appointment

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GENERAL DESCRIPTION OF THE COURSE

A lawyer is a professional, and the legal profession has been time-honored throughout the history of civilization. Along with the prestige and rewards bestowed upon and earned by lawyers come great and serious responsibilities to clients, colleagues, and country as well as to past and future generations of lawyers worldwide. In this regard, the first responsibility of any lawyer is to learn the basic elements of good lawyering and continuously improve one's mastery of those skills. The excellence as a lawyer is never attained by the receipt of a law diploma. It is an evolutionary process, and it continues throughout the legal career. A good lawyer will learn something new or strive to perfect a skill every day.

The "Legal Skills" course, utilizing interactive methods, will concentrate on familiarizing students with the essential skills that they will need in the legal profession, with a focus on practical exercises, tasks, and demonstrations designed to replicate what lawyers actually do from day to day. It will provide a solid foundation upon which students can build on in future years.

LEARNING OUTCOMES**PROGRAM LEARNING OUTCOMES**

Graduates of the Law Program should have the following competencies:

1. carry out professional activities in good faith on the basis of developed legal consciousness, legal thinking, and legal culture and with observation of ethical principles of the legal profession;
2. apply professional judgment, perform quality legal analysis, conduct legal research, and solve legal problems;
3. be able to speak and write in an argumentative, logical, and clear way in the legal context, have skills necessary to draft legal documents, be fluent in the English language at the level of professional communication;
4. draft normative legal acts and carry out their legal expertise in the field of professional activity;

5. interpret and apply substantive and procedural norms, provide qualified legal opinions and consultations in concrete types of legal activity;
6. demonstrate leadership qualities, active citizenship, take and develop initiatives aimed at promotion of civil society and welfare state;
7. understand the essence and significance of information in the development of modern society and law, master the basic methods of working with information and information technologies in the professional sphere.

Upon successful completion <u>of the course</u> , students should be able to:	Law program learning outcomes
organize large amounts of information, identify objectives, and create a structure for applying that information in an efficient way in order to achieve desired results;	1,3
express themselves clearly and concisely in the specific techniques and forms of written expression that are common in the law;	3
carefully read, understand and critically analyze complex written materials of substantial length;	2,5
evaluate the relevance of court cases and brief those cases;	2
draft formal pleadings of the type and in the form, such as motions and memorandum of law, as those that may be actually filed in a formal court proceeding;	1,2,3,5
present arguments in the form and technique of oral expression that are most common in the practice of law.	3
able to work with both case law and statutes, find applicable law and make appropriate analysis	2,3,5

CONTENT OF THE COURSE

Week 1

JAN 14

INTRODUCTION TO COURSE. CV AND COVER LETTER

ASSIGNMENT: PREPARE CV AND COVER LETTER TO THE POTENTIAL EMPLOYER (LAW FIRM) AND SUBMIT IT ON ECOURSE IN 1 DOCUMENT

Week 2

JAN 21

CV AND COVER LETTER

Week 3

Jan 28

LEGAL MEMORANDUM

ASSIGNMENT: PREPARE A LEGAL MEMORANDUM FOR A CLIENTWeek 4

FEB 4

LEGAL OPINION

ASSIGNMENT: PREPARE A LEGAL OPINION FOR A CLIENTWeek 5

FEB 11

REVIEW OF PREPARED LEGAL MEMORANDUM AND LEGAL OPINION. BRIEF OVERVIEW OF LEGAL DUE DILIGENCE

ASSIGNMENT: FINALIZE THE LEGAL MEMORANDUM AND LEGAL OPINIONWeek 6

FEB 18

OTHER LEGAL DOCUMENTS (POWER OF ATTORNEY; LETTERS/INQUIRIES TO STATE BODIES; BUSINESS CORRESPONDENCE WITH CLIENTS; CLIENTS' INTERVIEWS)

ASSIGNMENT: PREPARE RELEVANT DRAFT DOCUMENTSWeek 7

Feb 25

LAWMAKING/DRAFTING OF LAWS. BRIEF OVERVIEW OF DRAFTING OF CORPORATE DOCUMENTS (FOUNDATION AGREEMENT; CHARTER; RELEVANT REGULATIONS)

ASSIGNMENT: PREPARE RELEVANT DRAFT DOCUMENTS**Week 8**

MAR 4

SPEAKING: ARBITRATION SIMULATION EXERCISE

Week 9

MAR 11

CLIENT INTERVIEWING

SPRING BREAK: NO CLASS

Week 10

MAR 25

IN-CLASS CLIENT INTERVIEWING EXERCISE

Week 11

APR 1

INTRODUCTION TO CASE STUDY
CASE FILE ORGANIZATION
ASSIGNMENT: ORGANIZE CASE STUDY FILE**Week 12**

APR 8

CASE FILE ANALYSIS
ISSUE SPOTTING
ASSIGNMENT: SUMMARY MEMORANDUM**Week 13**

APR 15

LEGAL RESEARCH – CASE LAW
MOTIONS PRACTICE

DRAFTING FORMAL COURT PLEADINGS
ASSIGNMENT: DRAFT RESPONSE TO MOTION TO SUPPRESS

Week 14

APR 22

INDIVIDUAL MEETINGS: RESPONSES TO MOTION TO SUPPRESS
ASSIGNMENT: REVISE RESPONSES TO MOTION TO SUPPRESS

Week 15

APR 29

INDIVIDUAL MEETINGS: REVISED RESPONSES TO MOTION TO SUPPRESS

COURSE REQUIREMENTS AND POLICY

- (1) Class sessions are a mixture of lectures and interactive student-focused activities (class discussion based on reading assignments, arbitration exercise, etc.). ***Students are expected to come to classes prepared and be ready to discuss the assigned materials.*** The instructors will call on students randomly to discuss class materials.
- (2) Students are expected to **BE ON TIME** for classes. If the instructors marked a student absent in case the student is late for class, he/she is considered to be absent for the whole class, unless excused by the instructors.
- (3) **ATTENDANCE:** Class attendance is required. Any student missing more than three (3) classes will receive a grade of zero (0) for class attendance and participation (-15%).
- (4) Students must submit all written assignments on the due date. **Late submissions will not be accepted** and will be given a grade of “zero” (0) for the assignment. Please, notice that all assignments must be turned in **HARD** and **ELECTRONIC** copies. Electronic copies should be uploaded via the AUCA e-course system. You may access the system at <http://ecourse.auca.kg/>.
- (5) Students must observe the AUCA **ACADEMIC HONESTY** policy. All types of **academic dishonesty** (cheating, plagiarism, etc.) are **strictly prohibited**. If a student fails to observe this requirement, instructors may assign an “F” grade for the work or for the whole course depending on the type of assignment and gravity of the academic dishonesty. Students are expected to read and follow the section on the Student Academic Dishonesty of the **AUCA Code of Student Rights, Responsibilities, and Conduct as well as the Law Division Policy on Plagiarism**.
- (6) The use of cell phones (talking, texting, etc.) during class is strictly prohibited. Students violating this policy will be given one (1) warning. A second violation of this policy will result in the student receiving a grade of “zero” (0) for class participation (-15%).

- (7) The use of any other electronic devices during class for any purpose not related to the furtherance of the class objectives is strictly prohibited. Recording (audio, video) of classes is not allowed. Students violating this policy will be given one (1) warning. A second violation of this policy will result in the student receiving a grade of “zero” (0) for class participation (-15%).
- (8) Please, note that this syllabus **is subject to change**. Any changes to the syllabus will be announced in class, and the updated version of the syllabus may be found on the e-course. It is students’ duty to stay informed of any adjustments made.

EXAMINATION

There is no midterm or final examination in this course. Students will be graded based on written assignments submitted to the instructor during the semester and upon participation in classroom exercises and discussions.

GRADING

▪ Class Participation and Attendance	10%
▪ Case Summary Memorandum	15%
▪ Written Response to Motion to Suppress	15%
▪ Oral Argument: Motion to Suppress	20%
▪ Legal Memorandum	15%
▪ Legal Opinion	10%
▪ Other legal documents	10%
▪ Arbitration Simulation Exercise	5%

GRADING CRITERIA

A	94-100%
A-	90-93%
B+	86-89%
B	80-85%
B-	77-79%
C+	74-76%
C	68-73%
C-	64-67%
D+	60-63%
D	54-59%
D-	50-53%
F	below 50%