The Legal Profession: History and Practice (192-001) — Spring 2016 (3 credits)

Professor Ross E. Davies (rdavies@greenbag.org; 202-550-0000).

**Classes:** 9:00-11:40 a.m., Wed., in Room TBA. Office hours open to all, immediately after class, in the classroom.

**Sketch and purpose of the course:** This is a market-driven law school course. It is based on annual and ongoing input from (a) employers about what they want today’s law students and graduates to know more about and do more effectively, and (b) current students (this year at meetings on Nov. 4 and 5) about which of those topics they are most interested in working on. Basically, GMUSL career advisers compiled the employer input into a long list in the form of a ballot, and then students at the November meetings used copies of the ballot to vote for their preferred topics. The 14 topics for this semester (the top ten from the student vote, plus three selected by the GMUSL career services staff and one TBA by the instructor) are:

- Jan. 13: Law Firm Economics
- Jan. 20: Client or Business Development
- Jan. 27: Networking
- Feb. 3: Professional Presence and Branding
- Feb. 10: Business Etiquette
- Feb. 17: Business Fundamentals for Lawyers
- Feb. 24: Working with Paralegals and Support Staff
- Mar. 2: Getting and Giving Feedback
- Mar. 16: Project or Work Management
- Mar. 23: Public Speaking
- Mar. 30: Business Communications
- Apr. 6: Communication and Listening Skills
- Apr. 13: Negotiating
- Apr. 20: TBA

This course approaches those topics from a variety of perspectives — regulatory, historical, technical, practical — using a variety of resources, including conventional reading assignments, guest presenters, and exercises. Each of our 14 Wednesday morning class sessions will focus on one of the 14 topics listed above (dates and sequence subject to change).

**Texts:** The readings (available starting Dec. 14 at www.rossdavies.org) for each class session are about 20 pages long (give or take a few) and should be: (a) enough to draw you into the subject of the day; (b) not too much for you to read thoroughly and with care (see “Class sessions” below); and (c) enough to provide you with plenty of leads for a little bit of interesting research and writing (see “Research and Papers” below). Feel free to print out the readings or put them on an electronic gadget. Either way, bring them to class, along with your notes and research. Failure to bring your current reading, notes, and research to class will affect your grade. It is important that all of us have hands-on access to our work during class.

**Class sessions:** Each session will begin at 9:00 a.m. sharp with 10 minutes for a short multiple-choice quiz (8 or 10 questions). The quizzes are designed simply to determine whether you have, in fact, done the reading, paid attention, and thought about it. For someone who has done the reading the quizzes are nothing to fear, but for someone who has not done the reading they will be, well, painful. We will spend about 30 minutes talking about the reading, using quiz questions as starting points, with the instructor doing most but not all of the talking. Then for about 30 minutes our guest presenter(s) (all reputable experts in their respective fields) will comment on and field questions about the topic of the day. Then we will take a 10-minute break. The rest of the class session will be devoted to more discussion of the topic of the day, including the reading and your research.

**Research and Papers:** Please do the assigned reading and come to class prepared to be quizzed on it and to discuss it. **The research:** In addition, beginning with the second week of class, you should do no more than 30 minutes of outside research testing the quality of the readings and come to class prepared to share the results of your work. So, as you read, note points where you are confused or skeptical. (The question all good lawyers are constantly asking, as they read and watch and listen, is: “Oh really?”) Then follow up — do some research to satisfy one specific, substantive, constructive, concern directly related to the law or legal practice as dealt with in the readings. (Thus, for example, if the readings on “Client or Business Development” contain a derivative reference to a “Mickey Mouse operation” that is not a reason to do research about the Disney character, but if the readings on “Professional Presence and Branding” contain a reference to “Mickey Mouse copyright” that is a reason to do research about copyright law relating to the Disney character.) **The papers:** During the first class session, the students will be divided into two groups. The members of the two groups will take turns (one week on, one week off) writing up their researches in Word documents and emailing them to the entire class (including the instructor). Please do not overdo it — you need not come up with anything big or groundbreaking, and you should not write more than 200 words. Short, well-written, interesting additions — clever or dull, exotic or mundane — that will help all of us understand what we’re reading is
what we need. This part of the coursework is as much about developing habits (reading with an eye for things that ought to be looked into further, and then doing the looking) and techniques (searching, sorting, analyzing, and explaining, and then writing) as it is about substance. Do not undo it either. You do need to be prepared to talk based on what you did or did not find, and it does need to be relevant and law-related, though it is unlikely you will be called upon to do so in every class session. Think about it this way: Our classes will be meetings of professionals where you share your expertise and research, not a book club where you share your reactions and casual thoughts.

**Deadlines:** First, your paper topic must be unique — no echoing, amplifying, duplicating, or piggybacking on a classmate’s — which makes reading and commenting promptly a good idea (and also makes it pretty important for you to read your classmates’ little papers as they appear in your email!). Second, your paper must be received by the entire class (including the instructor) no later than 12 noon on the Monday before the readings will be discussed. You are responsible for making sure it arrives on time. I will send a confirming reply email as soon as I receive it. If you do not receive a reply from me by the deadline, call my cell phone (202-550-0000) at 12 noon, dictate the entire paper into my voicemail, and then by 8:00 p.m. that day deliver hard copies to my mailbox and all your classmates’ mailboxes at the law school. (The idea here, obviously, is to provide a backstop if you and I have email problems, and to deter the internet from eating your homework.)

**For each class session, please:**

(a) Read, take notes, research, and think about the assigned material. Stay an assignment or two ahead of schedule, just in case.

(b) Note and follow in-class instruction. If you miss a class you must get notes from a classmate. Make arrangements in advance as a precaution against unanticipated absences. There is a strong tradition in law of sharing notes with colleagues in need. Be a part of it.

(c) Look up words you do not know. Use a good dictionary or two. Words that are interesting or important are good quiz candidates.

**Grades:** You may choose (no later than the end of the drop/add period) to be graded for the course on either the 4.33-point scale or credit/no credit (CR/NC). The default 4.33-point scale will apply if you do not report your choice to the Records Office by the end of the drop/add period. Either way, the grade is based on closed-book quizzes and participation. **Quizzes count for 1/2 of the grade.** There are no make-ups: miss a class in which a quiz is administered, miss that quiz. Taking all the quizzes is good because for students who take all quizzes the lowest score is excluded from final grade calculations. **Participation counts for 1/2 of the grade.** Let’s be clear about this up front: The evaluation of participation is subjective, which means that if you do not like your participation grade there will be no basis for challenging it. Having said that, you are unlikely to get a bad participation grade if you write good papers, come to class prepared to make useful contributions and do in fact make them, and respectfully listen to and comment on the contributions of others. The papers are not graded separately. They are included in class participation. You are responsible for attending the number of class sessions required by our school’s regulations (they are available on the school website, and you are responsible for knowing and following them) to be eligible for course credit.

**Learning Outcomes:** This course will expose students to and give them the opportunity to refine the professional skills the market seeks in today’s law students. Students will demonstrate increased awareness of and proficiency in professional skills demanded in today’s market by: (1) completing weekly quizzes; (2) writing, researching, and speaking about professionalism topics; and (3) actively listening to lectures and guest speakers.

**Other Outcomes:** You will learn some inspiring and entertaining things about people who are admirably good lawyers, and you will have some fun.

**Intellectual property:** The instructor owns all course content, regardless of form. You may share copies with classmates during the course, but other than that you must keep all of it in any format to yourself forever. Recording of classes is forbidden.

I have read and do understand the rules of this course, and I know that following those rules is an important part of class participation. I will abide by all of them.

Name (print): __________________________ Signature (scribble): __________________________ Date: __/__/__