

American University of Central Asia
International and Business Law Department
Legal Skills Course Syllabus
Fall 2013

Course ID: 01836, LAW 338 – 3 credits

Instructors: Sarah King
Dinara Asanbaeva

Classes: Mondays (9.25 or 10.50) & Wednesdays (10.50)

Office Hours: Sarah King Monday 14:00-16:00
Dinara Asanbaeva Monday & Wednesday 12:00-13:00

Contact information: king_s@mail.auca.kg

Asanbaeva_d@mail.auca.kg

I. GENERAL DESCRIPTION AND OBJECTIVES OF THE COURSE

A lawyer is a “professional,” and the legal profession is time-honored throughout the history of civilization. Along with the prestige and rewards bestowed upon and earned by a lawyer, come great and serious responsibilities to one’s clients, colleagues and country, and to past and future generations of lawyers worldwide. But the first responsibility of any lawyer is to learn the basic elements of good lawyering and thereafter to continuously improve one’s mastery of those skills. 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. Excellence as a lawyer is never attained by the receipt of a law diploma. It is an evolutionary process, and it continues throughout a career. A good lawyer will learn something new or strive to perfect a skill every working day. This course will provide a solid foundation upon which you can build in future years.

II. LEARNING OUTCOMES

Upon successful completion of the course, students should be able to:

- Interview a client to identify legally important facts and identify legal issues;
- Communicate and correspond with a more senior lawyer;

- Evaluate the relevance of court cases and brief those cases;
- Draft a properly structured legal memorandum to a client or senior lawyer within a specified deadline;
- Appropriately treat and interact with other lawyers and non-legal staff;
- Draft correspondence with regard to specific issues presented, including client letter and legal opinion letters;
- Negotiate a transaction or settlement agreement on behalf of a client;
- Draft a contract suitable to the interests of the client;
- Perform basic skills of a trial lawyer.

III. COURSE REQUIREMENTS AND POLICY

- (1) The class will meet twice a week; Students are **expected to come to classes prepared and be ready** to discuss the assigned materials. Upon the instructor's request each student must submit his/her written assignment. The instructor will call on students randomly to discuss the lecture topic or assigned reading materials, or to perform any other task (questions and etc). If a student is not prepared for class, it may be reflected in his or her participation grade.
- (2) Students are expected to **BE ON TIME** for class. If a student is late, he/she will be marked as absent for the whole class, unless excused by the instructor. Such excuses will be rare, if given at all. The instructor reserves the right to deny late admission to the classroom of any student who is consistently late for any reason.
- (3) **ATTENDANCE:** Class attendance is required. If a student misses more than 5 classes, he/she will receive zero points for class participation.
- (4) Students are required to attend **INDIVIDUAL MEETINGS**. If the student misses an individual meeting, he or she is considered to have missed a class period.
- (5) **WRITTEN ASSIGNMENTS:** Due dates and times are strict and indicated in the syllabus. Late assignments are generally not accepted. You should assume that all assignments are to be typed, unless otherwise indicated by the Professor.

**Failure to turn in a draft – on time – will result in an automatic reduction of 10 points from the assignment grade. Deadlines for all drafts are indicated in the syllabus. Any changes made, will be made in class and students are responsible for staying up to date on all in-class announcements.

Extensions will not be granted except in the case of a genuine emergency. You must make the request for an extension as soon as you know of the emergency. A computer

crash is **not a reason** for an extension (back up all work on at least one disk, preferably two, and so that there will not be any problems).

Please notice that all assignments must be turned in **hard copy** and in an **electronic** copy. Electronic copies should be uploaded via the AUCA e-course system. A special training on the e-course system will be provided in class. You may access the system at <http://e-course.auca.kg/>. **If the assignment is late electronically it will NOT be accepted in hard copy.

(6) Students must observe the **AUCAACADEMIC 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.

(7) **CELL PHONES** and any other electronic devices should be either turned off or kept on silence.

IV. 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 exercise and discussions.

V. GRADING

The final grade will be determined based on the following components:

Writing Assignments:	Percentage of grade:
Class participation and attendance	10%
Summary of facts and legal issues	15%
Legal memorandum	20%
Demand Letter	15%
Drafting contract/settlement agreement	20%
Mock Trial	20%

Grading scale

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

IV. COURSE CONTENT

Note: The instructors reserve the right to introduce changes to the syllabus. Any changes will be announced during class. It is your responsibility to stay informed of adjustments.

Week 1

Sept 2

No Classes

- Email “The Role of Lawyer in Society”

Sept 4Class

Introduction, Expectations and The Lawyer as the Professional

- Discuss syllabus and course expectations
- Discuss reading which was emailed to students
- Distribution “interviewing” and “making clients happy”

Week 2

Sept 9

“Client Care and Maintenance - The Golden Rules”

- Discussion of lecture and assigned reading
- Demonstration: Meeting and interviewing a prospective client regarding a legal dispute (the “Dispute”)
- **Assignment №1**: Prepare a summary of facts and legal issues of the Dispute, addressed to Senior Attorney, using designated format (hard copy due Sept 16 in class / and on e-course by Sept 15 at midnight ASSIGNMENTS NOT TURNED IN TIMELY ONLINE, WILL NOT BE ACCEPTED IN CLASS)
- **Bring Draft Assignment №1** to class on Sept 11.

Sept 11

Mock Interviews

- Questions and Discussion re: Draft of facts and legal issues
- Assign reading on case briefing

Week 3

Sept 16

“Briefing Cases – How and Why it’s Important”

- *due in Class hard copy of facts and legal issues
- **Assignment №2** Each Group will brief one case and present to class. (**Assignment №2** hard copy due Sept 25 in class / and on e-course by Sept 24 at midnight ASSIGNMENTS NOT TURNED IN TIMELY ONLINE, WILL NOT BE ACCEPTED IN CLASS)

Sept 18

“Relationship with the Senior Attorney – Meeting Expectations (and keeping your job!)”

- Guest Lecture

Week 4

Sept 23

Discussion of Draft Briefs

- Bring Draft of case briefs to class
- In class discussion of briefs
- Handout template Engagement Letter

Sept 25

“The Importance of Engagement / Retainer Letters” (This is not about marriage)

- *Due in Class – hard copies of case briefs
-

-
- Presentations on Briefs
 - Discussion of lecture and assigned reading
 - Assign Reading on Ethics

Week 5

Sept 30

Attorney Client Ethics

- Discuss Client / Attorney Ethical Issues
- Assign reading on Drafting Legal Memorandum

October 2

“Techniques for Drafting a Legal Memorandum”

- Discussion of lecture and assigned reading
- **Assignment №3**: Prepare a legal memorandum to the Senior Attorney regarding the Dispute
 - ****Draft due Friday Oct 4 by 5:00 (both electronically and in hard copy)**
 - Final hard copy due Oct 9 in class / and on e-course by Oct 8 at midnight ASSIGNMENTS NOT TURNED IN TIMELY ONLINE, WILL NOT BE ACCEPTED IN CLASS)
- Distribution of assigned reading for Week 8.

Week 6

October 7

Individual meetings for feedback on assignment №3

- Assign Guide to Legal Letter Writing

October 9

*Hard Copy of Legal Memo due in class

“Letter Writing for Lawyers – It’s Not like Writing your Mom”

- Discussion of letters to clients and opposing parties
- **Assignment №4**: Prepare a demand letter (hard copy due Oct 23 in class / and on e-course by Oct 22 at midnight ASSIGNMENTS NOT TURNED IN TIMELY ONLINE, WILL NOT BE ACCEPTED IN CLASS)

Week 7

October 14 & 16 – no classes due to independent study days

Week 8

October 21

Individual meetings for Drafts of Assignment No4

- Assign Readings for Negotiation Skills

October 23

“Negotiating Skills”

- Discussion of lecture and assigned reading
- Video on Settlement Conferences

Week 9**October 28****In Class Negotiation Exercise**

- Settlement conference between parties and attorneys

October 30**“Contract Drafting Skills and Techniques”**

- Discussion of lecture and assigned reading
- **Assignment №5:** Draft a contract reflecting the terms of the resolved Dispute
 - ****Draft is due by 5:00 on Friday November 1 (both electronically and in hard copy)**
 - **Hard copy due Nov 14 in class / and on e-course by Nov 13 at midnight**
ASSIGNMENTS NOT TURNED IN TIMELY ONLINE, WILL NOT BE ACCEPTED IN CLASS
- Distribution of assigned reading for Week 11

Week 10**November 4****Individual Meetings****November 6**

No class

Week 11**November 12****Individual meetings re: contract drafts****November 14 Class*****Hard copy of Contract Due in Class****Lecture on Opening Statements**

Week 12

November 18

Lecture on Closing Statements

November 20

Direct Examination

- Discussion of lecture and assigned reading
- Demonstration: Examining a Witness under Oath.
- Assign Roles for Mock Trial

Week 13

November 25 Classes

Mock Direct Examinations

November 27

Lecture on Cross Examination

Week 14

December 2

Mock Cross Examinations

December 4

Team Meetings to prepare for Mock Trial

Week 15

December 9

No Class

December 11

Mock Trial

**There will be one class during this week for the entire mock trial (it will be approximately 2 hours) – Date and Time TBD
