

## SUMMER 2016 COURSE DESCRIPTIONS SUNY BUFFALO LAW SCHOOL

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### **L-517 ADVANCED LEGAL ANALYSIS, WRITING & RESEARCH** – Johanna Oreskovic

3 credits

LAWR III is an advanced legal writing course in which students will have multiple opportunities to practice and refine their legal analysis, writing, and research skills. In this simulated civil litigation course, students will be expected to perform assignments similar in nature and complexity to the assignments performed by attorneys in practice. Students will take a hypothetical case from the beginning of the litigation to the end. Students will interview the hypothetical client, research the merits of potential claims, draft a complaint, draft pretrial briefs, and draft a final appellate brief. Students also may be required to present an oral argument and prepare for mediation. The course will help students understand the substantive and procedural issues that arise in the litigation and make decisions regarding litigation strategy.

### **L-518 ESSENTIALS OF LEGAL DRAFTING – CONTRACTS, WILLS, PLEADINGS, & LEGISLATION** –

Stephen Paskey

3 credits

In critical ways, the act of drafting a contract, a will, or a statute is different from writing a memo or brief. The words create legal obligations, and much can be lost from the wrong choice of words or a poorly crafted sentence. In this course, students will draft a variety of short legal documents, ranging from contracts and wills to discovery requests and statutes. But the focus is less on drafting a particular type of document than on learning to use words deliberately and with great precision. Students will also practice interviewing skills and revise documents drafted by others. And because legal practice is often highly collaborative, students will draft some work in teams. The final grade will be based primarily on a portfolio of written work with no exam. **The course also fulfills the skills requirement.**

### **L- 522 JUDICIAL CLERKSHIP SKILLS COURSE** – TBD

1 credit

Limited to 10 students; by permission of instructor only. Contact Dawn Skopinski for permission at Skopinsk@buffalo.edu or 645-6261. Mandatory co-requisite for Judicial Clerkship – Intensive (L 523); if there are openings in the course after preference is given to the Judicial Clerkship - Intensive students, Judicial Clerkship students (L797 – 3 credits) may be admitted.

This course will help students develop the legal skills necessary to perform as successful student judicial clerks. Assignments will require students to further develop and refine their research, writing, and analytical skills. Students will learn how to prepare bench memoranda, judicial opinions, and other documents typically produced by judicial law clerks. We will examine the function and role of judicial clerks, the relationship between law clerks and judges, and the ethical obligations governing judges and their clerks. Students taking this course will gain a deeper understanding of trial and appellate court practice and become more adept at addressing complex legal questions. Because students will be simultaneously serving as judicial clerks, ample time will be allotted for questions, discussion, and the exchange of workplace experiences.

**This course is being offered through distance learning software online. Students must have a high speed internet connection and a computer with a camera and microphone.**

**The day and time of the online class will be announced at a later date, and will most likely be in the evening**

**L-529 MINDFULNESS AND PROFESSIONAL IDENTITY: BECOMING A LAWYER WHILE KEEPING YOUR VALUES INTACT** – Stephanie Phillips  
SEMINAR- 3 credits

Who will you be as a lawyer? A hard-charging, zealous advocate? A gentle, wise counselor? What images of lawyering did you bring with you to law school, and how has your law school experience changed those images? How should you connect your personal ethics and sense of humanity with your professional role – or should they connect at all?

To facilitate exploration of these questions, we will use an innovative method – mindful reflection. Each week, in addition to discussing readings assigned for class, we will spend time learning about and practicing mindfulness techniques that are designed to sharpen your powers of attention and observation, as well as to promote relaxation, reflection, and engagement with your deepest sense of self. Although some of these techniques originated in various religious traditions, the seminar does not promote a religious perspective. Rather, the goal is to help you develop a toolkit of practices that you will be able to use as a student and as a practicing lawyer to reduce stress, to manage the emotional ups and downs that lawyers constantly face, to find the kind of professional work that fits your goals and values, and to stay human, connected to your sense of humor and your deepest ethical and professional ideals.

Armed with these tools, we will explore a number of substantive questions reflecting three themes: professional identity, lawyering skills, and rethinking legal institutions. With respect to professional identity, we will discuss questions like the following: What makes a good lawyer? What are the limits of zealous advocacy? When lawyering for a cause, is it sometimes appropriate to put your own values before the client's? What ethical and human challenges are presented by different types, and styles, of lawyering? What characteristic personality styles do many lawyers possess? What kind of lawyer do you want to be, and what kind of lawyering work will make you happy?

With respect to the second theme, lawyering skills, we will discuss these and other questions: How do you make clients feel listened to, and heard? How do you handle a situation in which your client has a very different cultural, social or religious background from your own? How do you handle feelings of attraction, repulsion, rage, frustration, and sympathy that may arise when you deal with certain clients – or certain co-workers? How do you deal with hostile or controlling opposing counsel? How do you avoid “burnout”?

Finally, with respect to the third theme, rethinking legal institutions, we will hear from guest speakers and read materials concerning a range of innovative lawyering practices and institutions that go beyond courtroom work and the adversarial system, including: negotiation and mediation; “holistic” law practice; therapeutic justice; and restorative justice.

**L-628 RULES OF PROFESSIONAL CONDUCT: APPLICATION AND CHALLENGES IN LEGAL PRACTICE** - Barbara A. Sherk  
3 credits

This course provides an examination of diverse practice issues in ethics and professionalism that confront attorneys. Study includes a comprehensive overview of the New York Rules of Professional Conduct and comparisons with ABA Model Rules with reference to applicable case law and ethics opinions. Class discussion will apply the rules to current issues and hypothetical problems from a variety of practice settings. The final grade will be based on a multiple choice examination. **This course fulfills the 2<sup>nd</sup> year ethics requirement.**

**L-770 LEGAL ETHICS IN CONTEXT: WHERE PROFESSIONAL RULES AND GOOD LAWYERING INTERSECT** - Kim Diana Connolly  
3 credits

Students will explore the ethical standards and legal obligations of lawyers, as well as learn lawyering skills such as interviewing, counseling, and negotiating, in the context of professional practice. Based on the ABA Model Rules, this course will also use MPRE-based quizzes every class to reinforce the lessons. We will explore the Professional Conduct and the Restatement (Third) of the Law Governing Lawyers, as well as New York rules, statutes, and case law which govern lawyer behavior and the lawyer's duties, supplemented by various readings on practice skills. This course is

designed to help students develop certain “practical lawyering” skills needed to represent clients both competently and ethically in every legal setting from litigation to transactional planning. We will use a combination of interrelated classroom work; simulations (both in and out of class); and research, writing, and reading assignments to explore both skills and ethics. There will not be an exam, but instead some regular short assessments. A portion of class time will be dedicated to one-on-one simulations and peer review.

**The course fulfills the 2nd year 3-credit ethics requirement. The course also fulfills the skills requirement.**