

SOUTHWESTERN LAW

for students, alumni and friends of
Southwestern Law School

LAWS TO THE POWER OF THREE

New program provides first-year students with three choices in advocacy training

A recognized innovator of legal writing programs, Southwestern has announced a new ground-breaking three-track approach to its **Legal Analysis, Writing and Skills (LAWS) program**. Commencing in Fall 2009, first-year students are now able to choose from three areas of focus for their LAWS course: **Appellate Advocacy, Negotiation or Trial Practice**.



All students receive the same instruction in LAWS I before concentrating on their specific areas of advocacy during LAWS II. While the negotiation and trial practice tracks are new, what was the traditional appellate advocacy track will also evolve within the new program. This three-track approach is believed to be the first program of its kind at any law school in the nation.

During the Fall semester, all first-year students take LAWS I, a three-unit course designed to prepare them for the real-world demands of law practice. The course explores issues of professionalism; develops broad-based analytical, research and writing skills; and provides concentrated instruction in the basics of legal methods, legal reasoning and legal processes.

First-year students now have the unique opportunity to choose from three areas of focus for their LAWS course: Appellate Advocacy, Negotiation or Trial Practice.

During the Spring semester, students take the three-unit LAWS II course to further refine their legal research, analysis and writing techniques in the context of their selected track:

In the **Appellate Advocacy** track, students handle an appeal of a hypothetical legal case, conducting legal research, drafting an appellate court brief and presenting oral arguments.

The **Negotiation** track applies the skills of legal research, writing, advocacy and client counseling through negotiation exercises that include meeting with clients, drafting a trial court motion, and participating in simulated contractual negotiations.

The **Trial Practice** track emphasizes the work of a trial attorney, with students mastering multiple tasks involved in pre-trial and trial stages of litigation in a hypothetical legal case.

"Our LAWS course has always focused on providing students with a strong foundation in the basic skills of legal practice," said Professor Tracy Turner, Director of the LAWS program. "However, until now, we have not had the opportunity to introduce first-year students to negotiation and trial skills. We hope that broadening their exposure to advocacy skills in the first year will open up new viewpoints and options for them."

Under the new format, students are placed with the appropriate professor (based on the track selected) during their first semester and continue working with that professor throughout the academic year.

"Southwestern's unique three-track system enables first-year students not only to enhance practical skills that fit their career ambitions, but also to get a head start toward honing those skills further through hands-on training and competition," said Dean Bryant Garth.

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SOUTHWESTERN STUDENTS SHINE IN APPELLATE, NEGOTIATION AND TRIAL ADVOCACY

Southwestern teams take top awards in competitions around the country

WECHSLER MOOT COURT TEAM EARNS FIRST PLACE AWARD

Southwestern's Moot Court Honors Program team of **Michael Azat**, **Leah Cohen-Mays** and **Jillian Weinstein** earned First Place in the 2008-09 **Burton D. Wechsler First Amendment Moot Court Competition** held at American University Washington College of Law in Washington, D.C. Among other teams, Southwestern triumphed over the finalist team from Cleveland Marshall College of Law, as well as teams from Brooklyn Law School and Florida International University in the semi-finals, and Stetson University College of Law, South Texas College of Law and Thomas Jefferson School of Law, among others in earlier rounds.

Team advisor Zee Rodriguez '99, an appellate prosecutor for eight years, said the students were well organized and prepared. "[They understood that] judges don't want a regurgitation of the brief," she said. "Our team's ability to answer questions in their own words and use cases to support their positions really paid off in the final rounds."



Leah Cohen-Mays, Michael Azat and Jillian Weinstein

"It felt great to help continue the national recognition our school deserves," team member Leah Cohen-Mays said, "and arguing at the Court of Appeals in front of real judges was amazing. Their comments and advice were invaluable."

The appellate issue explored whether a public university professor's assignment of a grade constitutes speech and if so, does that right of speech belong to the university or the professor? Southwestern's teams traditionally perform well at the Wechsler competition, and were finalists the previous year.

BLSA STUDENTS WIN INTERNATIONAL NEGOTIATION COMPETITION

Southwestern's BLSA Negotiation Team of **Joanna Allen** and **Brent Tilley** defeated more than 20 teams from law schools across the country to win the 2009 **Dr. Ralph Johnson Bunche International Negotiation Competition**, which was held during the 41st Annual National Black Law Students Association Convention in Irvine.

Professor Nyree Gray said that although she helped the students prepare for the competition, they were on their own and accomplished this most impressive feat in a very challenging setting. Competitors were only given a general fact pattern for each of the international issues, which ran the gamut from piracy to gun control to extreme poverty and world hunger. They did not know which part of the four-party negotiation they would represent for each issue until they arrived at the competition.



Brent Tilley and Joanna Allen

Winning this kind of competition requires a show of extreme diplomacy and strategy, Professor Gray explained. "Judges commented that the winners were professional and assertive without being aggressive," she said. "Ms. Allen and Mr. Tilley are very talented students and very skilled negotiators. They are to be commended for their success."

ABA NEGOTIATION TEAM TOPS REGIONALS

Southwestern's winning **ABA Negotiation Team** of **Whitney Ching** and **Daniel Horlick** defeated law students from Pepperdine University; University of California, Davis; and the University of San Diego to place first in the final round at the 2008-09 Regional Competition held in San Diego. They argued both sides of an issue concerning guardianship in an elder law case.

"Winning this was a very emotional experience," said Daniel Horlick. "We worked extremely hard for this competition, the team we faced in the finals was very intense, and the scoring was close." He credited the extensive practice sessions with Southwestern's other ABA Regional Negotiation Team, Kyle Marks and Joanna Allen, and faculty advisors Professors Nyree Gray and Christina Knolton for his team's "definitive edge over the other teams."



Daniel Horlick and Whitney Ching

"We would go through each problem and spar, and we tried to anticipate different styles and facts that would come up," according to Professor Knolton, who said the team won because of their incredible ability to be patient, listen to their opposition, and be firm and confident in their oration. "Most importantly, judges in the final round said they really liked how Whitney and Daniel applied the facts of the law to support their arguments."

TRIAL ADVOCACY TEAM TAKES NATIONAL TITLE

Southwestern's Trial Advocacy Honors Program (TAHP) Team won **First Place** at the 2008-09 **National Invitational Civil Rights Competition** held at St. John's University School of Law in New York. The team's four advocates — **Armen Amirkhanian, Andrew Caple-Shaw, Vanessa Chavez** and **Lindsay Gardner** — went undefeated in the preliminary rounds, winning over the University of Miami School of Law and Chicago-Kent College of Law. The team then triumphed over Washburn University School of Law in the Semi-Finals, and went on to the Championship Round where they defeated Temple Law School.

The team's head coach, Anthony Koutris '95 said it was "a victory that will stay with them throughout what will undoubtedly be stellar careers."

The case argued involved a protester claiming police violated his First, Fourth, Fifth and Fourteenth

Amendment rights. Lindsay Gardner said, "It was an incredible feeling to know that all our hard work paid off with a First Place win!"

"The team's coach Anthony Koutris '95 and assistant coach Jennifer Turner '06 did a tremendous job preparing the advocates for battle," Professor Joseph Esposito, TAHP Co-Director, said. "They too deserve our praise for their hard work and dedication." ❖



Lindsay Gardner, Andrew Caple-Shaw, Vanessa Chavez and Armen Amirkhanian

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Many have called upon law schools to do a better job of training law students for the practice of law and for the many variations of law practice that they may encounter. The ABA's *Survey of Law School Curricula*, the Carnegie Foundation's *Educating Lawyers* and the Clinical Legal Education Association's *Best Practices for Legal Education*, as well as the recent Law School Survey of Student Engagement (LSSSE) report have all urged law schools to adopt more professionalism and practice-oriented approaches in their curricula.

The creation of the new three-track program addresses this concern and keeps Southwestern at the vanguard of curricular reform, specifically with regard to legal writing programs.

"Few schools have devoted as many resources or made legal writing such a cornerstone of the first-year experience as Southwestern has," said Vice Dean Austen Parrish. "The latest changes, however, really make Southwestern unique. We are aware of no other school with a three-track program, or one that provides students as much flexibility in their first year to tailor their legal education."

Professor Turner added, "We are very excited about our new expanded LAWS program, particularly since students' experiences in the first year can affect how they approach law school in their upper division years and the choices they eventually consider for their careers." ❖

THREE TRACKS

The Appellate Advocacy Track, which is the approach traditionally included in most law school legal writing programs, introduces students to advocacy as it is practiced in the courts of appeal.* In the process of handling an appeal of a hypothetical case, students meet with clients, conduct legal research, draft an appellate court brief, and present oral arguments before a panel of justices.

The Negotiation Track teaches core lawyering skills in the context of negotiating contracts. Students meet with clients, conduct legal research, draft a trial court motion that involves a question of contract validity, and participate in contract negotiations.

The Trial Practice Track corresponds to the work of a trial attorney. Students handle a variety of tasks in the pretrial and trial stages of litigation in a hypothetical legal case. They meet with clients, conduct legal research, draft a trial court motion, examine witnesses, and present their case to a jury.

*An appellate court (state or federal) hears appeals from judgments and rulings of trial courts or lower appeals courts.

SOUTHWESTERN ADDS NEW NEGOTIATION HONORS PROGRAM

In conjunction with the launching of the LAWS three-track approach, Southwestern has established a new Honors Program through which students can hone their negotiation skills. Professors Cristina Knolton and Nyree Gray serve as faculty advisors for the Negotiation Honors Program, which commenced with the Fall 2009 semester.

The **Negotiation Honors Program** expands Southwestern's current competitive programs, which include the **Moot Court Honors Program** and the **Trial Advocacy Honors Program (TAHP)**, to provide an opportunity not only to students interested in litigation, but also to those who wish to delve deeper into transactional practice. Through the new program, participants receive three units for the year and team members participate in at least four different negotiation competitions. "The creation of this honors program confirms the place of negotiation as one of the most vital legal skills of a successful legal practitioner," Dean Bryant Garth said.

Southwestern has an exceptional record in appellate and trial advocacy nationally, and the new negotiation program will help demonstrate that our students are just as effective outside the courtroom.

Although the formal creation of a Negotiation Honors Program is new at Southwestern, the program is intended to enhance the law school's ongoing involvement in interscholastic negotiation competitions. Individual Southwestern teams recently won First Place at the Regional ABA Negotiation Competition and the BLSA International Negotiation Competition (see page 2).

"The Negotiation Honors Program is another avenue to display the talent of the Southwestern student body," Professor Knolton points out. "The law school has an exceptional appellate advocacy and trial advocacy presence across the nation, and the new negotiation program will demonstrate that Southwestern students are just as effective outside the courtroom."

An Intramural Negotiation Competition through which interested students can be considered for the Negotiation Honors Program is held on campus in the Spring. The student teams receive a common set of general facts known to both parties, as well as confidential client instructions. The students are evaluated on their ability to achieve the goals set out by their client, their aptitude to advocate for their client's interest in an articulate manner, and their skill in cooperative problem solving. More than 100 students participated in Southwestern's first Negotiation Intramural Competition in 2009.

Based on their performance in the competition, approximately 30 participants are invited to interview for the Negotiation Honors Program. To be eligible for membership, students must also have completed the number of units equivalent to the first-year day program and must be in good academic standing.

"Professor Gray and I are thrilled with the new Negotiation Honors Program because it provides students a new and exciting opportunity to build skills that they will use every day in practice," Professor Knolton said. "Those skills will help students understand important negotiation techniques and develop the confidence necessary to become effective advocates." ❖

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