

THE PRACTICE OF LAW

CAP 4800

SPRING 2017

SAT. 12:30-3:50 p.m. & Scheduled Dates for Experiential Learning

CONTACT INFORMATION

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CAPSTONE PROJECT: The Practice of Law

Students will be exposed to and become familiar with traditional practice areas of law - e.g., criminal, civil and family law - through a combination of experiential learning and practical application culminating in individualized written legal research projects which will be presented to the broader SUNY community. Students will become familiar with all aspects of trial practice as well as the areas of legal research and legal writing.

Students will be required to participate in Saturday classes held both **on and off campus** and satisfy the 15 hour experiential requirement through one or a combination of the following which typically occur during weekday business hours: attending court proceedings in local courts in the area, meeting with lawyers in area lawfirms, attending bar association educational events and/or interning on dedicated dates with a lawyer, in a lawfirm or with a judge. Travel to White Plains, Brooklyn and courts in Westchester is anticipated.

LIBERAL STUDIES OUTCOMES:

The capstone meets the following outcomes for the Liberal Studies Degree Completion Program:

- The ability to articulate and communicate clearly in written and spoken forms
- Research skills including the ability to analyze and synthesize information
- To think critically, independently and creatively
- LAW: Core knowledge of the field and related concepts, theories and ideas
- LAW: Analysis and application of law and legal concepts

These outcomes will be measured through in class attendance and participation, evaluation of the student's work during the experiential learning requirement and evaluation of the written research project.

COURSE LEARNING OUTCOMES:

At the conclusion of the course, students will be able to:

Delineate and utilize the critical skills needed for successful legal advocacy in the practice area selected;

Analyze and evaluate legal issues in the practice area selected and through research and writing;

Apply the laws, rules and cases that govern the legal issues being researched;

The students will learn legal advocacy writing and research skills, as well as advocacy techniques and strategies that are useful for anyone who needs to advocate for themselves or on behalf of an organization.

Students will select a legal issue or issues in one or more practice areas of the law and will become familiar with legal strategies through attendance at court and other legal proceedings and will practice such strategies through in class simulated exercises and evaluation of legal fact patterns. In the experiential phase of the capstone project, students will be exposed to legal proceedings such as courtroom proceedings, oral arguments, legal negotiations and legal research.

The primary goals for the students are to facilitate familiarity and understanding and application of the legal skills required in the select practice areas including legal analysis through research and writing as well observation of legal advocacy skills in the experiential phase of the course.

At the conclusion of the course, students will be able to identify the fundamental principles of law in the practice area selected as well as the specific constitutional provisions that govern such principals. This outcome will be achieved through class attendance and discussion, preparation for the experiential learning and by creating and implementing a legal research paper/project culminating in a legal research project/paper and presentation of that work to others.

Students also will be able to identify the key cases decided by the United States Supreme Court as well as key cases decided by the New York Court of Appeals that have helped to shape and establish the fundamental principles of law in the selected practice areas. This outcome will be achieved through class attendance and classroom discussions and legal research as well as in the experiential phase of the course.

Students also will be able to analyze and discuss legal issues that arise in the selected practice areas in class as well as in the experiential phase of the course by identifying, researching and writing about a select legal issue or issues. This outcome will be achieved through class attendance, participation in classroom discussions, the learning experience of the legal setting and creation of a legal research project/paper

and presentation of the work to others.

REQUIRED TEXT

Tanford, J. Alexander, The Trial Process: Law, Tactics and Ethics, (Lexis 4th Ed.).

Selected hand outs by instructor regarding legal issues in practice areas of criminal law, family law, civil law,

PURCHASE COLLEGE ACADEMIC INTEGRITY POLICY

The Purchase College Academic Integrity Policy <<http://www.purchase.edu/Policies/Academicintegrity.aspx>> explicitly forbids cheating, plagiarism and other forms of academic dishonesty. Plagiarism is the appropriation or imitation of the language, ideas, and/or thoughts of another person and the representation of such as one's own original work. Students are responsible for familiarizing themselves with the definition of plagiarism and the acceptable methods of attribution.

Violation of any of the above may lead to formal disciplinary action and the following sanctions:

Minimum sanction: Failing grade on the assignment or examination.

Maximum sanction: Expulsion.

Students who have any questions or doubts about whether any activity is academically permissible, should check with me first.

DOCUMENTED DISABILITIES

Students with documented physical, learning, psychological or other disabilities are entitled to receive reasonable accommodations. If a student needs accommodations, he or she first must register with the Office of Disability Resources; please call 914-251-6035 or email ODR@purchase.edu.

You can find a description of the student services provided by the Counseling

Center at (914-231-6390) <http://www.purchase.edu> . Moodle is ADA compliant;

you can find the accessibility at [http://docs.moodle.org/dev/Moodle Accessibility specification](http://docs.moodle.org/dev/Moodle_Accessibility_specification)

CLASSROOM AND EXPERIENTIAL LEARNING EXPECTATIONS

Please be on time and participate in class discussion and activities. During the first class session, be prepared to schedule/arrange time slots during the Spring semester for the 15 hours of experiential learning which will occur **OFF CAMPUS DURING WEEKDAY BUSINESS HOURS** at a courtroom, lawyer's office, judicial chambers selected by the student with the approval of the instructor.

Be prepared to attend class sessions which may be held both on campus and off campus locations in White Plains.

Be prepared to attend court proceedings, bar association events, lawyer's office internship or a combination of the above to fulfill at least 15 hours of experiential learning. These activities are OFF CAMPUS and will be individually scheduled between the student and instructor. Attendance on scheduled dates is MANDATORY; any absence must be MADE UP such that at least 15 hours of experiential learning is completed. Students should be prepared to wear appropriate business/professional attire suitable for the environment in which the experiential learning will occur.

Please return promptly from breaks.

Please turn off all cell phones, ipods, beepers, etc. at the start of class. If you need any such device to be on for personal obligations, please inform me in advance of such use and put such device on vibrate.

NO earphones or earbuds may be worn during class unless such is a reasonable accommodation for a documented disability that already is registered with the Office of Special Student Services.

Laptops may be used in class for note taking only. You may not email or IM, etc. during class. Failure to comply with this rule by any student will result in such student being precluded from any laptop use in the classroom.

Clean up the area around you every time you leave the class - do not leave items behind when you depart for breaks or at the end of the evening.

COURSE REQUIREMENTS:

Class attendance and participation during class sessions

Experiential learning attendance

Written legal research project and presentation of same to larger SUNY community

ASSESSMENTS

- (A) Assessment of learning outcomes is an important way to ensure that all degree programs are providing students the knowledge, skills and competencies they need to successfully complete their degrees. This is distinct from the grade one receives in a particular project or course. Therefore, your final paper/project will be collected and anonymized (by removing your name and any identifying features) and assessed with a rubric used by outside assessors (not the Instructor) to see how well it meets the program learning outcomes. This is going to be completed after the end of the semester and will have no bearing on your grade for the course or final project.
- (B) Grade Assessment
1. Class participation in simulations and exercises = 20%
(Preparation for simulation; and demonstrated improvement in skills during simulations and exercises to be evaluated on an ongoing basis)
 2. Written Project/Paper = 60%
Evaluated as to:
Legal Research (Accuracy/Relevance)
Clear/concise Writing
Cogent Analysis of Topic
 3. Satisfactory Completion of 15 hours of experiential learning (dates/location selected by student and Instructor)
= 20%

CLASS SCHEDULE WEEK ONE - 1/ 28/17

Introduction to Capstone; Selection of Experiential Learning Dates and experiences

Review Role of the Courts in Government

Structure of the Court System (trial and appellate)

Introduction to general practice areas - criminal, family, civil law

Assigned reading

WEEK TWO - 2/4/17

Discussion of Legal Research Project Topics

The Trial Process Pre-trial motions and Hearings

Discussion of Presentation and experiential learning placement

Assigned reading.

WEEK THREE - 2/11/17

Selection of Legal Research Project Topics.

Courtroom customs and etiquette

The idea of advocacy

Obligations of an Advocate

Assigned reading

WEEK FOUR - 2/18/17

History of the jury trial

The adversarial system and search for truth

The order of a trial

The right to a jury trial

Assigned reading .

WEEK FIVE - 2/25/17

The duty to prepare for legal proceeding

Interviewing clients and witnesses

DUE: Comprehensive Outline of Legal Research Project including planned presentation

Assigned reading

WEEK SIX - 3/4/17

Understanding Legal rules in general areas of law

Discretion of Court

Pre-proceeding preparation

Assigned reading.

WEEK SEVEN - 3/11/17

DUE: First draft of written legal research project

General rules and procedures Forms Assigned
reading.

WEEK EIGHT - 3/18/17

Legal Framework of proceedings in criminal, civil, family
court Assigned reading.

WEEK NINE - 3/25/17

Preparation for legal proceedings
Assigned reading.

WEEK TEN - 4/1/17 [NO JOKES!]

Ethical considerations regarding clients and adversaries
Assigned reading.

WEEK ELEVEN - 4/8/17

**DUE: Second draft of written legal research
project** Assigned reading .

WEEK TWELVE - 4/22/17

Presentation
Assigned reading.

WEEK THIRTEEN - 4/29/17

Presentation
Assigned reading.

WEEK FOURTEEN - 5/6/17

FINAL WRITTEN PROJECT DUE