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# Legal Skills Program: Marshall-Wythe School of Law

William & Mary Law School

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## THE DEAN AND FACULTY ON LEGAL SKILLS

"The skills program at William and Mary is unique. We are teaching our students essential lawyering skills in a realistic context that ensures intellectual rigor and a thorough grounding in professional ethics. William and Mary lawyers will begin their careers singularly well equipped to become leaders of the bar."

*Timothy J. Sullivan, Dean  
and John Stewart Bryan  
Professor of Jurisprudence*

"What distinguishes this skills program from what other schools are doing is that instilling ethics is an integral goal. Simulations without expressed ethical objectives become mere games. Ours are not because students are being taught not only to be skillful but to be ethical—to recognize that there are goals other than winning that are important to both lawyers and their clients."

*James E. Moliterno  
Assistant Professor of Law  
and Director of the Legal Skills Program*

"I think the Legal Skills Program has had an enormously beneficial impact on the first year experience. In the first year of the Legal Skills Program's existence, I noticed that the general level of analytical sophistication of the students in my Torts course reached a higher level at an earlier point in the year than I've seen previously in eleven years of teaching first year classes. There was also a more sustained sense of enthusiasm about the enterprise the students were engaged in than I'd seen before. What the students are doing in Legal Skills has a direct and positive effect on what I'm able to do in my classroom."

*Paul A. LeBel  
Professor of Law*

"Often freshly minted lawyers, as eager and bright as they are, haven't developed a practical sense. I think the skills program will give our new graduates confidence that others just won't have."

*Jayne W. Barnard  
Associate Professor of Law*

"Proper study of the law requires understanding of both theory and application. Legal Skills brings the two together in a unique and valuable way."

*Fredric I. Lederer  
Professor of Law*

## STUDENTS ON LEGAL SKILLS

"During the introductory week, the warmth, enthusiasm and caring that the faculty radiated had a visibly calming effect on the students. I was personally impressed and inspired by their dedication to excellence."

"I am particularly pleased with the overall emphasis on ethics and the law. Putting ethics rules in context helps anchor our legal studies in reality."

"The methods used in the Program teach law students the foundations of legal skills in a dynamic setting. It is like gaining experience while still in law school."

"In Legal Skills, you are really made to feel like you belong in a law firm. It's great to have someone (teacher-professor-teaching assistant) you can call by first name and feel that he/she is your partner who will look after you."

"When I decided to come to law school, many attorneys told me I would learn nothing that was practical. I think this program gives us that practical experience that will be helpful when we finish school."

"Learning practical skills will put us in a better position to decide how we want to use our legal education."

"Having worked in law firms with 1st and 2nd year lawyers who do not know what is going on, I feel the Legal Skills program is extremely useful—if not essential—to the effective transition from law school to practice."

"I can't imagine learning this quantity of quality material in a regular course setting—Legal Skills will give us the background, confidence and edge needed to do well and get a job after graduation."

"Legal Skills made me more aware of what I should be getting out of my other classes—learning how to apply the rule to a specific fact pattern, rather than getting bogged down in unimportant details made my time in other classes more productive and meaningful."



Marshall-Wythe School of Law  
The College of William and Mary  
Williamsburg, VA 23185

# LEGAL SKILLS PROGRAM

## MARSHALL-WYTHE SCHOOL OF LAW



# WILLIAM & MARY



# LEGAL SKILLS PROGRAM



*"From the initial client interview*

*through each step required by the representation,*

*the student "lawyer" pursues*

*the client's problem to a logical conclusion."*

Legal Skills at William and Mary is a nine credit, two year program of study that is required of all students. The Program covers the following topics:

- History and Structure of the Legal Profession
- Professional Ethics
- Legal Research
- Legal Writing
- Legal Drafting
- Interviewing
- Negotiating
- Counseling
- Alternative Dispute Resolution
- Pretrial Activities including Discovery and Motion Practice
- Introduction to Trial Practice
- Introduction to Appellate Practice

At most law schools these topics are treated in a varied mix of separate and unrelated courses. At William and Mary, using a wide range of original materials and teaching methods, they are unified in a realistic setting that helps students master essential lawyering skills and ethical concepts.

The Program begins with a challenging and intensive week of instruction designed to introduce the new student to both the legal system and law study. How effective is this week of total immersion in the culture of the law? Read the words of one member of the Class of 1991: "The week made me more confident and less fearful of law school. It made me feel as if Marshall-Wythe really cares about each student and that each student is an important part of the law school."

Following the introductory week, the Skills Program begins in earnest and on two concurrent tracks: classroom instruction and simulated client representation. These tracks are designed to provide both *instruction* in skills and ethics and the *actual use* of those skills in realistic settings that require the resolution of tough ethical issues.

The essential organizational unit of the Program is the law office. Each first year student becomes one of a small group of approximately fifteen associates in an office and remains a part of that office for his or her first two years. A faculty member and a carefully selected third year student are partners in the firm and provide guidance to the new associates. To ensure realism, every office is located in and uses the law of an actual jurisdiction, currently Virginia, New York, Pennsylvania, Ohio, Illinois and California.

During the Program's two year life, students are introduced to the whole range of required lawyering skills: interviewing and counseling, negotiating, researching and writing memoranda, drafting documents, opinion letters or briefs and arguing cases at trial and on appeal. All of these skills are learned through "hands on" experience representing simulated clients.

Two special features of the Program combine to make it a unique experience in American legal education. First, students deal with a client's legal problems from beginning to end. From the initial client interview through each step required by the representation, the student "lawyer" pursues the client's problem to a logical conclusion. Sometimes this conclusion is a negotiated settlement; other times it may mean a trial and appeal.

Whatever the outcome, the Program provides extraordinary, in-depth exposure to the skills being taught. Students, for example, who are engaged in a negotiation learn not only about negotiation but about client interviewing and counseling because they have in fact interviewed and counseled the client to prepare for negotiation. Second, the Legal Skills Program is the Law School's course in legal profession and legal ethics. Students are exposed to the value and importance of "professionalism" in dealing with an adversary at the bar. Ethical issues are treated in the context of actual client service, changing the character of the students' experience from mere competitive games to a much truer, better textured learning experience.

The Legal Skills Program is carefully designed to reinforce and augment the School's traditional academic courses. The Program is an integral part of the School and its education and enjoys the wholehearted support of our legal academic community.

A law school's skills program is the beginning students' first window on the legal profession. If well done, it provides a critical perspective on the study of law and what it really means to be a lawyer. In this respect, William and Mary's skills program is unique. It affords every student an opportunity to truly live a lawyer's life while attempting to master the basic skills required for an ethical and successful career at the bar.

