

**FUNDAMENTALS OF LEGAL PRACTICE
LAW 792**

Spring 2019

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Course Description:

Students taking this course will engage with both internal and external instructors to learn about the legal profession and the building blocks of a successful legal career. This course will cover basics of professionalism and the legal profession, including communications, client service, business development and marketing, personal branding, the importance of public service, business aspects of law, and leadership.

Class Meetings:

This class will meet eight times for 90 minutes each, on Thursdays from 3:30 PM to 5:00 PM, and on Fridays from 10:30 AM to 12:00 PM. All classes will meet in the Auditorium.

Office Hours:

Office hours will be by appointment in Chicago or Champaign. Contact Dean Miarecki to schedule a convenient meeting time.

Course Materials:

This course will feature guest speakers from various areas of legal practice, as well as perspectives from current students. This syllabus outlines scheduled guest speakers and reading assignments. Speakers are subject to change, depending on scheduling and availability. A modest amount of additional reading/exercises may be assigned. Additional assignments will be provided to students at least three (3) days before the class where they will be discussed.

Course Requirements and Grading:

Students are expected to attend all eight classes. Any student unable to attend class must notify Dean Miarecki at miarecki@illinois.edu prior to the beginning of class, and explain why he/she is not able to attend. **There are no “excused” absences. Students failing to attend at least seven of the eight classes will fail the class.** Use of laptops in class is **not permitted**.

Additionally, each student will be expected to complete the following assignments:

1. Interview eight people who know them well to provide three adjectives that best describe the student. Place all of the adjectives on a single page and bring it to class on Thursday, January 24th, 2019.
2. Complete a 60 day personal marketing plan that utilizes elements of your personal brand, Plans must be submitted via e-mail to Vileta Austin at vaustin@illinois.edu no later than

5:00 PM on Friday, February 8, 2019. A sample marketing plan will be provided to students.

3. Interview **two** practicing lawyers in areas of interest to the student. Interviews should cover at least one of the topics identified below. Following the interviews, each student will prepare a three to four page (single spaced) memorandum relating to **each** interview. Part I of the memorandum will summarize the attorney's views and advice relating to the topic(s) below. Part II of the memorandum will provide the student's reactions, reflections, and analysis concerning the attorney's views and advice. **As part of this analysis, students should discuss at least two of the assigned readings, and how the attorney's insights and advice is consistent or inconsistent with those readings.** Students should not collaborate with each other in conducting interviews or drafting of memoranda. Both memoranda are due no later than 5:00 PM on Friday, March 8th, 2019 via e-mail to Vileta Austin at vaustin@illinois.edu.

For the purposes of this class, students may conduct interviews in-person or telephonically. While students are free to select either option, keep in mind that in-person communications are more likely to foster a stronger and more beneficial relationship with the attorney going forward. For the purposes of the student's professional development, students should ideally select an interview subject located in their preferred geographic area.

The course will be graded pass/fail.

Topics:

Class 1: Overview of the Business of Law (Thursday, January 17th)

In this age, the legal profession is also a business. It is not enough to practice law in an effective manner. Today, lawyers must understand how to make business decisions, such as who to hire, what practice areas to engage in, and how (and whether) to charge for their services. Both for-profit legal service providers (such as firms) and non-profit providers (such as government agencies and public interest legal service providers) face these types of decisions. In this module, students will learn about legal business models in both for-profit and non-profit sectors, how new lawyers fit into those models, and how they can continually make themselves more valuable to their employer.

Readings: Georgetown Law Center for the Study of the Legal Profession, 2018 Report on the State of the Legal Market

Fundamentals of Legal Practice – Introduction to Lawyering PowerPoint Presentation

Randall Kiser, Soft Skills for the Effective Lawyer (Cambridge University Press, 2017, pp. 1-41)

Guest Speaker: Kerry Lavelle, Founder, Lavelle Law

Class 2: Professional Communication and Interactions (Friday, January 18th)

Communication skills are critical to the success of any attorney. Today's attorneys must communicate effectively with a wide variety of parties, including clients, employees, co-counsel, opposing counsel, judges and court staff, and colleagues. They must also use different mechanisms of communication in different contexts, including written letters, formal court submissions, client meetings oral advocacy, e-mail, and many more. And finally, appropriate communication styles can differ, depending on the audience. Students will learn effective communication techniques from a variety of professionals.

Readings: Donna Gerson & David Gerson, *The Modern Rules of Business Etiquette*, 2nd ed. Chapters 2 and 3 (ABA Press 2014)

Paul A. Haskins (editor), *Essential Qualities of the Professional Lawyer*, American Bar Association (2013), pp. 189-205

Multi-Generational Hypothetical Scenarios for Law Students

25 Professionalism Tips for Law Students in the Workplace

Guest Speakers: Keith Horton, Vice President of Compliance and General Counsel, Camelot Illinois

Catherine Stahl, Director of Trial Advocacy, University of Illinois College of Law

Class 3: Personal Branding (Thursday, January 24th)

Whether they are trying to win a case in the courtroom, or win business from a client, today's lawyers need to learn how to stand out, and how to package and communicate their unique value to the world. This is especially important in the age of technology, when attention spans are shorter than ever before. This session will help students understand the concept of personal branding, and how to create a valuable personal brand that resonates with others.

Readings: Katy Goshtasbi, *Personal Branding in One Hour for Lawyers*, Chapters 1-4 (ABA Press 2013)

Class 4: Business Development and Marketing (Friday, January 25th)

More than ever, business development and marketing skills are a critical aspect of legal practice. Firm lawyers need these skills to build their all-important "book of business." Lawyers practicing in-house, in a government agency, and in non-profit agencies need these skills to develop valuable relationships both inside and outside the workplace. Additionally, all lawyers need to develop a personal brand and an understanding of how to market themselves within the profession. Students will learn the basics of how to market a legal practice to both internal and external clients.

Readings: Delee Fromm, *Advance Your Legal Career*, Chapter 8 (LexisNexis 2014).
Stephanie Frances Ward, *Fifty Ways You Can Market Your Practice*, ABA Journal Online (July 1, 2013)

Guest Speakers: Tasneem Goodman, Managing Director, GrowthPlay
Dan Campbell, Associate, McDermott, Will & Emery LLP
Adam Hearn, Associate, Berger Schatz

NO CLASS ON THURSDAY, JANUARY 31ST AND FRIDAY, FEBRUARY 1ST

Class 5: Client Service and Exceeding Expectations (Thursday, February 7th)

The legal profession is a service profession. Successful lawyers understand their clients' needs and goals and align their work with these elements within a code of professional ethics. Responsiveness and discretion are crucial to excellent client service, as is a clear understanding of the clients' unique culture and structure. Students will learn how to excel at client service, and how to develop good service habits early in their legal careers.

Readings: Mark Herrmann, *The Curmudgeon's Guide to Practicing Law*, Chapter 11 (ABA Press 2006)
Donna Gerson & David Gerson, *The Modern Rules of Business Etiquette*, 2nd ed. Chapter 6 (ABA Press 2014)

Guest Speakers: Marc Cooperman, Partner, Banner & Witcoff
Todd Labinsky, General Counsel, Jimmy John's
Richard Stockton, Partner, Banner & Witcoff

Class 6: Pro Bono and Public Service (Friday, February 8th)

Lawyers do not fulfill their professional obligations without performing pro bono services to the public. In many cases, lawyers enter into public service as the focus of their careers. Whether lawyers choose to make pro bono a part of their careers or the focal point, providing legal service for the public good is a fundamental tenet of the profession; all attorneys should incorporate public service into their professional identities. Students will hear from attorneys who have dedicated their careers to public service, as well as attorneys who are experts on the importance of pro bono work by attorneys practicing in the private sector.

Readings: ABA Model Rules of Professional Conduct - Preamble and Rule 6.1
Justice Breyer's speech: "The Legal Profession and Public Service"

Deborah L. Rhode, Pro Bono in Principle and in Practice, excerpts from Chapters One and Two

New York's 50-Hour Preadmission Pro Bono Rule: Weighing the Potential Pros and Cons, ABA Standing Committee on Pro Bono and Public Service (October 2013)

Guest Speakers: Matthew Clegg, Associate Director, University of Illinois College of Law, Office of Career Planning and Professional Development

Melissa Frydman, Clinical Professor, University of Illinois College of Law

Nicole Nelson, Equity Legal Services

Richard O'Malley, Senior Counsel, Sidley Austin LLP

Class 7: Leadership (Thursday, February 14th)

Leadership is an essential component of being a lawyer. Lawyers must often lead teams of all types. This class will provide an overview of expectations that today's lawyers must meet, and practical advice for how lawyers can succeed in leading others.

Readings: Thomas C. Grella, Lessons in Leadership, Essential Skills for Lawyers, Chapters 1 and 3 (pp. 1-26, 49-134)

Guest Speakers: Vik Amar, Dean, University of Illinois College of Law

Fred Bartlit, Founding Partner, Bartlit Beck Herman Palenchar & Scott LLP

Class 8: The View From the Bench: A Judicial Perspective (Friday, February 15th)

Judges are an important part of the legal profession, and take a leading role in ensuring the administration of justice. A panel of distinguished jurists will discuss how new lawyers can ensure their success in the legal profession.

Readings: Sandra Day O'Connor, Professionalism, Wyoming Lawyer (April 2004)

Sherman R. Ross, Defining Professionalism, Houston Lawyer (January/February 1995)

Joseph F. Anderson, Jr., Ten Things Every Trial Lawyer Could Learn from Vincent LaGuardia Gambini, 28 S. Carolina Lawyer 42 (2017)

Guest Speakers: Michele Babb, Judicial Assistant, United States District Court for the Central District of Illinois

Hon. Harold Baker, Senior District Judge, United States District Court for the Central District of Illinois

Hon. Eric Long, United States Magistrate Judge, United States District Court for the Central District of Illinois

Hon. Jonathan Hawley, United States Magistrate Judge, United States District Court for the Central District of Illinois

Hon. Randall Rosenbaum, Sixth Judicial Circuit Court of Illinois

Hon. Lisa Holder White, Illinois Appellate Court, Fourth District