

- Faculté de droit
- [www.unine.ch/droit](http://www.unine.ch/droit)

## Lawyering Skills and Legal Writing (4DR2182)

Filières concernées	Nombre d'heures	Validation	Crédits ECTS
<b>Master bilingue en droit</b>	<b>Cours: 2 ph</b>	Voir ci-dessous	4
<b>Master en droit</b>	<b>Cours: 2 ph</b>	Voir ci-dessous	4

ph=période hebdomadaire, pg=période globale, j=jour, dj=demi-jour, h=heure, min=minute

### Période d'enseignement:

- Semestre Automne

### Equipe enseignante

ANDRES Paul, Chargé d'enseignement.

### Contenu

The course will concentrate on the following skills and corresponding forms of legal writing, 1. (a) interviewing and counseling clients, (b) legal memoranda and client e-mails; 2. (a) negotiating and documenting commercial transactions, (b) term sheets and contract clauses; 3. (a) resolving contentious issues, (b) demand letters and settlement clauses. For each subject covered, students will also work on improving their legal reasoning, writing skills, and oral advocacy.

### Forme de l'évaluation

Students will take a written examination at the end of the semester that will require answering questions about lawyering skills and drafting a formal legal memorandum with proper legal reasoning and expression. The exam is closed book. No documentation, books, computers, telephones or other devices are allowed during the examination. Class attendance and participation are essential. Grades may be positively adjusted to reflect class attendance and participation.

### Documentation

The documentation for the course will consist of PowerPoint slides and other course materials which will be provided on the Moodle course website. The purchase of two reference books is recommended : (1) Legal Writing in Plain English (Second Edition – 2013), by Bryan A. Garner, and (2) The Elements of Style, by William Strunk, Jr. & E.B. White (Fourth Edition – 2000).

### Forme de l'enseignement

The course will consist of lectures, occasional guest presentations by experienced lawyers, in-class exercises, and assigned homework. Students will be expected to participate in class exercises and discussions, to submit written homework assignments on time, and to provide constructive comments to classmates.

### Objectifs d'apprentissage

Au terme de la formation l'étudiant-e doit être capable de :

- Identify and produce predictive, persuasive, and transactional legal documents
- Write out legal memoranda, issue statements, discussion sections, and conclusions in accordance with conventional legal writing formats
- Develop and support legal conclusions by applying facts to the law
- Communicate orally legal concepts and arguments in an organized and persuasive manner
- Practice and learn basic negotiation strategies

### Compétences transférables