

§6216-63 Professor Iselin Gambert  
**Fundamentals of Lawyering I and II**  
**2023-2024**

### **Course Overview and Objectives**

Fundamentals of Lawyering is a yearlong 6-credit course that introduces students to core skills, traits, and attributes required for effective lawyering. Framed through the lens of client-centered problem solving, the course trains students in a wide range of lawyering skills, including legal writing and analysis, legal research and citation, oral advocacy, client communication, fact development, and communication with clients, courts, supervisors, colleagues, and others. Every aspect of the course is infused with consideration for how students can begin to craft their professional identities, how their core values inform their legal work, and how they will service clients.

### **Learning Outcomes and Objectives**

Through this course and its simulated practice environment students will learn a variety of skills designed to introduce them to client-centered lawyering.

Students will also serve in a role of mock law clerk with a fictitious law firm representing a fictitious client. In this capacity, students will learn how to identify a client's legal issue, uncover the client's business and other non-legal considerations, and communicate concrete legal advice and recommendations to the client and firm supervisors.

Through this quasi-experiential curriculum, students will also have the opportunity to begin developing their professional identities and internalizing a commitment to developing all of the competencies of the legal profession. Specifically, students will:

1. Identify client's legal issues from written fact documents and other sources and differentiate the client's stated concerns from the applicable legal issues;
2. Learn to differentiate among legally significant, contextual, and irrelevant facts and identify factual gaps or discrepancies;
3. Analyze client issues using rule-based reasoning and communicate written analysis to clients and supervisors using the TREAT analytical paradigm;
4. Identify the purpose, scope, and stance of each writing assignment and craft both predictive and persuasive analyses that specifically consider all audiences,

5. Craft persuasive arguments that leverage rhetorical tools, are infused with a clear theme and theory of the client's case, and effectively anticipate and respond to the opponent's counterarguments;
6. Conduct original legal research to identify authority applicable to client questions and communicate the results of that research to clients and supervisors;
7. Communicate concisely, precisely, and accurately to supervisors and clients orally and in writing, formally and informally;
8. Learn to communicate effectively with law-trained and non-law trained readers, with specific attention to client capacity to understand legal language;
9. Become citation literate and understand how and why to attribute source material;
10. Build trust and credibility as an advocate by effectively editing and polishing documents before submission and meeting interim and final deadlines;
11. Build trust with clients and supervisors by listening to and responding to their needs;
12. Consider how client's business or other non-legal considerations may impact client's legal representation and identify non-litigation approaches to dispute resolution where possible and advantageous to the client;
13. Identify the potential biases—both internal and external—that may influence how they exercise their responsibilities as lawyers, and how to control for those biases to best serve the client;
14. Learn how to solicit and incorporate feedback through an iterative revision process, simulated supervisor meetings, and peer editing exercises;
15. Hone skills related to the giving and receiving of feedback, including active listening, engaged note-taking, agenda-setting, and priority-setting;
16. Become more comfortable with ambiguity and more self-sufficient through the exercise of problem-solving skills and independent professional judgment;
17. Practice making definitive decisions and communicating concrete recommendations to clients, supervisors, and colleagues;
18. Learn how to effectively prioritize work and manage time through handling multiple assignments at once;
19. Develop personal communication style and executive presence through opportunities for oral presentations for a variety of audiences, including supervisors and clients;
20. Engage in frequent reflection and self-assessment to become more aware of their personal strengths, areas for improvement, and values, and to begin integrating their personal values with the values of the legal profession;
21. Identify professional strengths and opportunities for further professional development through self-directed learning.

## Disability Support Services

Any student who may need an accommodation based on the potential impact of a disability should contact the Office of Disability Support Services (DSS) at: 202-994-8250 located in Rome Hall, Suite 102, to establish eligibility. Once a student is registered and deemed eligible for accommodation, they should then contact the Dean of Students Office at 202-994-8320 or [dss\\_support@law.gwu.edu](mailto:dss_support@law.gwu.edu) to coordinate reasonable accommodations (e.g., note-taking assistance, adaptive technologies). For additional information please visit <https://disabilitysupport.gwu.edu/>

## Course Policies

Please see the separate [Course Policies & Information document](#), which governs this course and which is incorporated by reference into this Syllabus. Students must fill out this [Acknowledgement of FL Course Policies form](#) to certify that they have read and understand the policies.

## Diversity Matters

Please also note the following: It is the intent of your teaching team—Prof. Gambert and your DFs—that students from all backgrounds and perspectives be well served by this course, that students' learning needs be addressed both in and out of class, and that the diversity that students bring to this class be viewed as a resource, strength, and benefit. It is my intent to present materials and activities that are respectful of diversity: gender, sexuality, disability, age, socioeconomic status, ethnicity, race, ideology, culture, and all other forms of diversity. Your suggestions, feedback, and opinions are encouraged and appreciated. Please let us know ways to improve the effectiveness of the course for you personally or for other students or student groups. In addition, if any of our class meetings conflict with your religious events, please let me know so that we can make alternative arrangements for you.

## Content Warning

As with many law school classes, readings and exercises in our class can include a range of topics that, at times, may be emotionally distressing or difficult. The Dean's Fellows and I will make every effort to warn you of any troubling content before you encounter it. If there is a topic you find particularly sensitive, please feel free to reach out to me or our Dean's Fellows to request advance warning of any particular topic. Moreover, if a discussion or reading is troubling to you, please do not hesitate to talk to me or your Dean's Fellows.

# Fall 2023 Syllabus

## Fundamentals of Lawyering I (FL63)

Class meets each week on Tuesdays and Thursdays from 1:10 - 2:35 pm in LLC014

### Prof. Iselin Gambert

Burns 421  
[igambert@law.gwu.edu](mailto:igambert@law.gwu.edu)  
202.994.4650 (office)  
917.617.3404 (mobile)  
[Schedule an appointment](#)

### DF Sawyer McDuffie

[sawyer.mcduffie@law.gwu.edu](mailto:sawyer.mcduffie@law.gwu.edu)  
843.457.5557 (emergencies only)  
Office hours: Thursdays from  
2:45 - 3:45pm in LLC014

### DF Bella Ochs

[isabellaochs@law.gwu.edu](mailto:isabellaochs@law.gwu.edu)  
973.303.6831 (emergencies only)  
Office hours: Wednesdays from 12-  
1pm in E112

DF Citation Syllabus [is available here](#)—and also integrated into syllabus below

### Required Textbooks and Resources

- [Murray & DeSanctis, \*Legal Writing & Analysis, 3d ed.\*](#) (West Academic 2021) (“LWA3”)
  - All students can receive 15% off the cost of any print or electronic books purchased from the West Academic online store (<https://www.westacademic.com/>) by using the school-specific discount code WAGWU at checkout. In addition, they will receive FREE 14-DAY DIGITAL ACCESS to the book immediately after purchase, so they can read online until the print version arrives. If they choose to create an account (via the “Create an Account” link at the top of the page) and sign in prior to completing the purchase, students will also receive free shipping within the US by using that code. The code will be good for the entire 2023/2024 academic year, and there’s no limit to the number of times it can be used, so please feel free to share this with your students as they prepare for the upcoming semester. If your students have questions about using the code or require technical support, they can reach our Customer Support team at 1-877-888-1330 (option 4) or via email to [support@westacademic.com](mailto:support@westacademic.com).
- [Sloan, \*Researching the Law: Finding What You Need When You Need It, 4th ed.\*](#) (Aspen Publishing 2023) (“RTL”)
- The Bluebook, 21st ed., hard copy or e-version at [www.legalbluebook.com](http://www.legalbluebook.com) (“BB”)
- [The Bluebook Uncovered](#) (available for free online) (“BBU”)
- Note: additional supplemental readings may be assigned throughout the semester

### Recommended Resources

- **A grammar and usage manual**, such as Richard C. Wydick’s *Plain English for Lawyers*, Bryan A. Garner’s *The Redbook: A Manual on Legal Style*, Strunk & White: *Elements of Style*, and/or *Core Grammar for Lawyers*, available at [www.coregrammarforlawyers.com](http://www.coregrammarforlawyers.com)
- **TeachingLaw.com**. This resource has three sections: Legal Research, Legal Writing, and Grammar & Citation. It contains study aids, quizzes, self-assessments, annotated sample documents, video testimonials, and other interactive material to teach students legal research strategies and writing techniques.

## Program-wide FL Course Elements

**Note:** All written assignments are due **before** 5:00 pm. Documents submitted after 4:59:59 pm will be considered late. With the exception of the CRM, which is worth 80% of the grade, all course elements are ungraded, but timely and thorough completion is required to complete the course and will be part of your Professionalism assessment. Worth 20% of your grade, the Professionalism assessment encompasses a range of **technical elements** including attendance, punctuality, ability to meet deadlines, and submission of complete and thorough assignments (graded and ungraded), as well as **skills related to professional identity formation**, including engagement, collegiality, self-direction, and the depth and thoughtfulness of contributions to class discussion. Professionalism is assessed with a rubric that is consistent across the entire 1L class.

Assignment / Exercise	Week / Deadline
Client Issue Analysis (CIA)	<b>Week 5:</b> Friday, September 22
Research Intensive Week	<b>Week 6:</b> Week of September 25
Client Meeting	<b>Week 8:</b> Week of October 9
CIA Rewrite	<b>Week 8:</b> Friday, October 13
Individual Student Conferences	<b>Weeks 10-13, TBD</b>
Client Research Memo (CRM) (worth 80%)	<b>Week 15:</b> Tuesday, Nov. 28

### 1. Client Issue Analysis (CIA)

At the outset of the semester, you will assume the role of “law clerk” at the law firm [Bickford & Branch LLP](#) and will receive your first assignment from your supervising attorney. You will be introduced to your client, who has asked for the Firm’s assistance analyzing a legal issue. To complete your assignment and assist your client, you will receive a variety of fact documents to help you identify the factual circumstances giving rise to the client’s legal issue. You will also be given a number of pre-selected cases for you to identify and analyze the law applicable to the client’s legal question. No outside research will be required or allowed to complete this assignment. Over several weeks you will work to identify the client’s concerns and goals, the legal issue(s) at play, and the legally significant facts. You will apply the law to the facts to predict the outcome of your client’s legal issue so you may advise your client about next steps. Feedback on components of the CIA will come in a variety of forms (class-wide feedback, peer feedback, individual feedback).

## **2. Research intensive week**

After you submit the CIA, you will spend a week focused on learning the skills required to conduct effective legal research. During this Research Intensive Week, you will work with your DFs in case teams to complete legal research exercises designed to help you understand how you would have found the cases you used to write your CIA. You will also learn how to conduct additional legal research on a new legal issue that may apply to your client's circumstances. You will also receive training from Westlaw and Lexis.

## **3. Client meeting**

After you submit the CIA, you will meet with your client to discuss your findings, present your analysis, uncover your client's concerns and goals—legal and nonlegal—, and identify potential new legal issues that the client may be facing. With your case team, you will send your supervisor an email summarizing the client meeting and your planned next steps in representing your client.

## **4. CIA Rewrite**

After you get feedback on your CIA, you will produce a Rewrite of the CIA in which you will incorporate your professor's feedback. You will receive feedback on this rewrite from one of your Dean's Fellows.

## **5. Individual student conferences**

You will attend at least one mandatory individual conference with your professor during the semester. At that conference, you and your professor will discuss your writing assignments and your experience in the course and law school to date. You will be asked to identify concrete goals in advance of your conference, and will be expected to generate an agenda for the conferences that reflects those goals. You will also discuss with your professor your performance in the course using a mock law firm evaluation to guide that discussion. You will be invited to reflect on your professional development and professional identity formation and identity strengths and areas for future growth. You will also attend at least one individual conference with one of your Dean's Fellows.

## **6. Client Research Memo (CRM)**

You will produce a series of documents associated with your client's second legal issue, which you will need to identify, research, and analyze. The written result of that research and analysis will become the CRM, the capstone assignment for the semester. The CRM builds upon all of the skills learned throughout the semester. First, you will be acclimated to the facts (developed live and in documents) and will submit a research summary or outline. You will conduct your own research to identify the cases and other legal sources needed to analyze your client's legal issue. You will have an individual conference with your professor on a draft of your analysis. Finally, you will produce a

formal memo to your client, worth 80% of your grade. In addition to your legal analysis, the CRM will include your recommendations for potential non-litigation paths to resolve your client's concerns and achieve their goals.

## Week-to-week Guide

Week	Date	Key Topics, Readings, + Assignments
Week 0	No class	<ul style="list-style-type: none"> <li>Due Sunday, Aug. 20 before 5pm: <a href="#">submit Bio + Contact Info form</a></li> </ul>
Week 1	Week of Aug 21	<p><b>Class 1: Introduction to the course, our client, and rule-based reasoning</b></p> <ul style="list-style-type: none"> <li>Intro to the FL course and learning objectives</li> <li>Intro to the TREAT organizational format</li> <li>Identifying the rule within a single source</li> <li>Identifying and working with Legally Significant Facts (LSFs)</li> <li>Introduction to our client</li> <li><b>Relevant reading for this week:</b> <ul style="list-style-type: none"> <li>— FL syllabus and <a href="#">course policies</a> documents</li> <li>— LWA3, Chs. 1, 2, 3, + App. C</li> <li>— RTL, Ch. 2</li> </ul> </li> </ul> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>Read Syllabus and <a href="#">Course Policies</a> docs. Before class next week, fill out this <a href="#">Acknowledgement of FL Course Policies form</a> to certify that you <b>have read and understand the policies.</b></li> <li>After Class 1, <a href="#">read the CIA Assignment doc (on Canvas)</a> and begin a bullet-pointed summary of facts that may be legally significant. Be prepared to discuss the facts in Class 2.</li> </ul> <p><b>Class 2: CIA client and fact considerations</b></p> <ul style="list-style-type: none"> <li>Discussion of client’s circumstances; identifying LSFs and legal issue(s) <b>Intro to sources, hierarchy of authority, the Bluebook</b></li> <li>Primary and secondary sources</li> <li>Mandatory and persuasive authority</li> <li>Overview of US legal system and hierarchy of authority</li> <li>Intro to citation literacy</li> <li>How to pull cases from Lexis/Westlaw</li> </ul> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li><b>Before 5pm on Sunday Aug. 27:</b> Work with your Case Team to <b>draft and send an email to supervisor</b> (send to prof + DFs) summarizing client’s legal question and identifying potentially legally significant facts.</li> </ul>



		<ul style="list-style-type: none"> <li>● <b>Before class next week: Locate and read CIA cases.</b> For each case, identify the relevant rule(s), LSFs, and rationale. No need to submit. Bring your work to class next week; be prepared to discuss.</li> </ul>
Week 2	Week of Aug 28	<p><b>Class 1 + 2: Identifying, synthesizing, and explaining legal rules (“the RE”); Intro to Citation Literacy</b></p> <ul style="list-style-type: none"> <li>● Come to Class 1 with <u>unsynthesized</u> Rules from each case</li> <li>● Reading cases efficiently and effectively</li> <li>● Synthesizing rules from multiple sources</li> <li>● Explaining how a rule works/has been applied</li> <li>● Drafting effective explanatory parentheticals</li> <li>● Practicing citation literacy</li> <li>● <b>Relevant reading for this week:</b> <ul style="list-style-type: none"> <li>— LWA3, Chs 5 + 6 (you can skim pp. 71-108)</li> <li>— <a href="#">Georgetown Writing Center: parentheticals</a></li> <li>— Good Use of Cases in Legal Analysis tip sheet (on Canvas)</li> <li>— BBU, Chs. 1; 2.A-E (skip public domain format stuff); Ch. 10.D</li> </ul> </li> </ul> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>● <b>Before 5pm, Sunday Sept. 3:</b> Submit to Canvas Synthesized Rule outline</li> <li>● Watch <a href="#">The Law School Playbook: Rule Synthesis</a></li> </ul>
Week 3	Week of Sept. 4	<p><b>Class 1: Applying governing rules to client’s issue (“the RA”)</b></p> <ul style="list-style-type: none"> <li>● Identifying LSFs and determining unknown facts</li> <li>● Applying the rules to your client’s legal issue</li> <li>● Combining rule-based and analogical reasoning</li> <li>● Analogy/distinction and making fact-to-fact comparisons</li> <li>● Evaluating a written analysis from the reader’s perspective</li> <li>● Giving and receiving feedback effectively</li> <li>● <b>Relevant reading for this week:</b> <ul style="list-style-type: none"> <li>— LWA3, Ch 7</li> <li>— Sample CIAs (on Canvas)</li> <li>— BBU Ch. 3.A-C</li> </ul> </li> </ul> <p><b>Class 2: The CIA; Full Citations &amp; Intro to Explanatory Parentheticals</b></p> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>● Optional but strongly recommended (for your own use; not to be submitted): work on filling in the “CIA Identifying LSFs Worksheet Fall 2023” worksheet</li> <li>● Work on a draft RE + A for in-class peer review next Thursday</li> </ul>

		<ul style="list-style-type: none"> <li>● Catch up on reading assignments to date</li> <li>● <b>Before 5pm, Wed, Sept. 13: Citation Handout 1* due to Canvas</b></li> </ul>
Week 4	Week of Sept 11	<p><b>Class 1 + 2: How to Read a Case Deep Dive; Guided Peer Review on RE+RA</b></p> <ul style="list-style-type: none"> <li>● Communicating the likely outcome to the client’s legal issue</li> <li>● Anticipating and resolving counterarguments</li> <li>● Crafting effective point headings and thesis sentences</li> <li>● Revising, editing, and polishing your own work</li> <li>● <b>Relevant reading for this week:</b> —Re-read readings assigned to date; add’l readings TBD</li> </ul> <p><b>Case Team conferences</b></p> <ul style="list-style-type: none"> <li>● Case Team conferences on REAs</li> <li>● <b>Come to your Case Team conference in Class 2 with RE+ RA for guided peer review</b></li> </ul> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>● Listen to Suffolk Law Podcast: <a href="#">Dealing with Counterarguments</a></li> <li>● Continue working on your CIA</li> <li>● <b>Before 5pm, Wed, Sept. 20: Citation Handout 2* due to Canvas</b></li> </ul>
Week 5	Week of Sept 18	<p><b>Putting it all together: predicting, analyzing, and communicating the outcome to the client’s legal issue (TREAT)</b></p> <ul style="list-style-type: none"> <li>● Communicating the likely outcome to the client’s legal issue</li> <li>● Anticipating and resolving counterarguments</li> <li>● Crafting effective point headings and thesis sentences</li> <li>● Revising, editing, and polishing your own work</li> </ul> <p><b>Relevant reading for this week:</b> —Re-read readings assigned to date</p> <p><b>DF content: Short Cites/ CIA Q&amp;A</b></p> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>● <b>Before 5pm, Friday, Sept 22: CIA due to Canvas</b></li> </ul>

Week 6	Week of Sept 25	<p><b>Research Intensive Week</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Visit this page</a> for overview of the week <ul style="list-style-type: none"> <li>◦ Watch mandatory Westlaw/Lexis trainings</li> <li>◦ Meet with DFs for Research Intensive exercises</li> </ul> </li> <li>• <b>Relevant reading for this week:</b> <ul style="list-style-type: none"> <li>— RTL Chs 3, 4, 5, 6, + 10</li> <li>— BBU Ch. 7.A-D; Ch. 4.A-E, Ch. 11.A-D</li> </ul> </li> </ul> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>• Research Intensive exercises</li> <li>• Georgetown Law Library Tutorials: <a href="#">Terms and Connectors (Boolean Searching)</a></li> </ul>
Week 7	Week of Oct 2	<p><b>Networking // Midterm Panel (Class 1); Intro to CRM + Prep for Client Meeting (Class 2)</b></p> <ul style="list-style-type: none"> <li>• Midterm Prep and Exam-taking strategy panel</li> <li>• Identify and discuss client’s new legal issue and how to develop research plan to answer client’s question</li> <li>• Preparing for client meeting</li> <li>• <b>Relevant reading for this week:</b> <ul style="list-style-type: none"> <li>— CRM materials on Canvas (will be available after Class 2)</li> </ul> </li> </ul> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>• Complete the <a href="#">Mid-semester Self- and Course-Evaluation</a> by 5pm Sunday, Oct. 8</li> <li>• Begin work on CIA Rewrite, due before 5pm on Friday, Oct 13</li> </ul>
Week 8	Week of Oct 9	<p><b>Client Meeting (Class 1); CIA takeaways; CRM continued; CRM Research Plan (Class 2)</b></p> <ul style="list-style-type: none"> <li>• <b>Relevant reading for this week:</b> <ul style="list-style-type: none"> <li>— <a href="#">Client Meeting Case Team Rubric</a></li> </ul> </li> </ul> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>• <b>Before 5pm, Wed, Oct. 11: Citation Handout 3* due to Canvas</b></li> <li>• <b>Before 5pm, Friday Oct. 13:</b> Case Team email to supervisor (prof + DFs) summarizing client meeting</li> <li>• <b>Before 5pm, Friday Oct. 13: CIA Rewrite due to Canvas</b></li> <li>• Work on CRM research plan, due Monday, Oct. 23 (available in Week 8 Module on Canvas)</li> </ul>

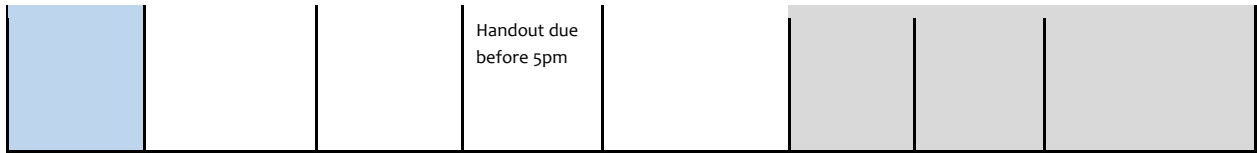
Week 9	Week of Oct. 16	<p><b>Midterm + Fall Break</b></p> <ul style="list-style-type: none"> <li>● <b>NO FL CLASS THIS WEEK</b></li> <li>● <b>Relevant reading for this week:</b> — BBU Ch. 13.A-E; Ch. 14.A-D</li> </ul> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>● <b>Before 5pm, Monday Oct. 23: CRM Research Plan due to Canvas</b></li> </ul>
Week 10	Week of Oct. 23	<p><b>CRM Research Plans + Statement of Facts (Class 1) ; Intro to Statutes, Citing Secondary Authorities, Citing Unreported Cases; String Cites; Signals (Class 2)</b></p> <ul style="list-style-type: none"> <li>● Discussion of CRM Research Plans; identifying next steps in CRM development</li> <li>● Digging deeper into facts, law, and client’s goals for CRM</li> <li>● Drafting Statement of Facts</li> <li>● Strategies for organizing a complex analysis</li> <li>● <b>Relevant reading for this week:</b> — BBU Ch. 10.A-C, Skim D, E-F</li> </ul> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>● <b>Before 5pm, Monday Oct. 23: CRM Research Plan due to Canvas</b></li> <li>● <b>Prepare for next week’s Report to Partner Conferences</b></li> </ul>
Week 11	Week of Oct. 30	<p><b>Report to Partner Conferences (in lieu of Class 1); CRM Deep Dive + Strategies for organizing a complex analysis (Class 2)</b></p> <ul style="list-style-type: none"> <li>● Report to partner conferences on CRM research</li> <li>● Digging deeper into facts, law, and client’s goals for CRM</li> <li>● <b>Relevant reading for this week:</b> — CRM samples (on Canvas) — CRM rubric (on Canvas)</li> </ul> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>● <b>Before 5pm, Sunday, Nov. 5: Submit draft excerpt of CRM</b> Max 5 pages, double spaced. Include Agenda for conference (not part of page limit). Optional: include outline of entire analysis.</li> <li>● <b>Before 5pm, Wed, Nov. 8: Citation Handout 3* due to Canvas</b></li> </ul>
Week 12	Week of Nov. 6	<p><b>Individual Conferences (in lieu of classes)</b></p> <ul style="list-style-type: none"> <li>● Professor conferences on CRM</li> <li>● DF conferences on CIA Rewrite assignment and lessons to apply to CRM</li> <li>● <b>Relevant reading for this week:</b> — LWA3, Ch 5, pp. 71-92</li> </ul> <p><b>ASSIGNMENTS:</b></p>

		<ul style="list-style-type: none"> <li>• Bring draft SOF for peer review to class next week</li> <li>• <b>Before 5pm, Wed, Nov. 8: Citation Handout 4/5* due to Canvas</b></li> </ul>
Week 13	Week of Nov. 13	<p><b>Executive Summary, QP/BA, Client Recommendations, Editing + Polishing, Peer Review Exercise, Citing to Fact Docs</b></p> <ul style="list-style-type: none"> <li>• Drafting Executive Summary and/or QP/BA</li> <li>• Drafting Client Recommendation section</li> <li>• Editing + Polishing // “Greening”</li> <li>• Citing to Fact Docs and to “the Record”</li> <li>• Uncovered content to date</li> <li>• <b>Bring draft SOF to class on Thursday for peer review</b></li> <li>• <b>Relevant reading for this week:</b> — LWA3, Ch 8</li> </ul> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>• Continue working on CRM, due Tuesday, Nov. 28</li> <li>• <b>Before 5pm, Wed, Nov. 29: Comprehensive BlueBook Review Handout* due to Canvas</b></li> </ul>
Week 14	Week of Nov. 20	<p><b>Thanksgiving Week: No FL classes</b> — Office hours TBA</p> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>• Continue working on CRM, due Tuesday, Nov. 28</li> </ul>
Week 15	Week of Nov. 27	<p><b>Semester Wrap-up // Final Exam/Job Search Q&amp;A</b></p> <ul style="list-style-type: none"> <li>• <b>No class on Tuesday</b></li> <li>• Thursday class: Wrap-up class; course evals, etc.</li> </ul> <p><b>ASSIGNMENTS:</b></p> <ul style="list-style-type: none"> <li>• <b>Before 5pm, Tuesday, Nov. 28: Submit CRM to Canvas</b> using anon ID</li> <li>• <b>Before 5pm, Wed, Nov. 29: Comprehensive BlueBook Review Handout* due to Canvas</b></li> </ul>
<p>This syllabus will be expanded to reflect subsequent weeks.</p>		

## Fall 2023 Semester-at-a-glance

	Mon	Tues	Wed	Thu	Fri	Sat	Sun
Week 1	Aug. 21	22	23	24	25	26	27 Case Team email to supervisor (prof + DFs) summarizing client's legal question and identifying potentially legally significant facts
Week 2	28	29 Come to class w/ unsynth Rules from each case	30	31	Sept 1	2	3 Submit to Canvas: Synthesized Rule outline or draft
Week 3	4 <b>Labor Day</b> <i>No classes</i>	5 WC opens	6	7	8	9 WC open	10
Week 4	11	12 Come to class with draft REA for Case Team peer review	13 Citation Handout 1 due before 5pm	14	15	16 WC open	17 WC open
Week 5	18	19	20 Citation Handout 2 due before 5pm	21	22 <b>CIA Due</b> <small>(0%)</small>	23	24
Week 6	25 Yom Kippur <b>Research Intensive Week</b>	26 DFs deploy open research exercise	27 Westlaw/ Lexis trainings this week	28	29	30	Oct 1

<b>Week 7</b>	2	3	4 Citation Handout 3 due before 5pm	5 CRM introduced	6 Profs return CIA	7	8 Case Team email to supervisor (prof + DFs) summarizing client meeting
<b>Week 8</b>	9	10 Client meeting	11	12	13 CIA Rewrite Due (0%) Case Team email to supervisor (prof + DFs) summarizing client meeting	14	15
<b>Week 9</b>	16 Reading Day	17 Midterm	18 Fall	19 Break	20	21	22
<b>Week 10</b>	23 Research Plan due before 5pm	24	25	26 Citation Handout 4 due before 5pm	27	28	29
<b>Week 11</b>	30	31	Nov 1	2	3	4	5 Draft CRM due (0%)
<b>Week 12</b>	6 Professor confs + interim performance evaluations this week in lieu of class	7 DF confs on CIA Rewrite this week in lieu of class	8 → Citation Handout 5 due before 5pm	9 →	10 →	11	12
<b>Week 13</b>	13	14	15	16 SOF peer review in class	17	18 WC open	19 WC open
<b>Week 14</b>	20 Office Hours	21 Const. Friday	22 No classes	23 T-Giving	24 No classes	25	26
<b>Week 15</b>	27 No FL classes	28 No FL classes CRM Due (80%)	29 WC closes Comprehensive BlueBook Review	30 Last day of classes	Dec 1 Reading Day	3	4





FLII Section 63  
Professor Iselin Gambert  
**Fundamentals of Lawyering I and II**  
**2023-24**

### **Course Overview and Objectives**

Fundamentals of Lawyering is a yearlong 6-credit course that introduces students to core skills, traits, and attributes required for effective lawyering. Framed through the lens of client-centered problem solving, the course trains students in a wide range of lawyering skills, including legal writing and analysis, legal research and citation, oral advocacy, client communication, fact development, and communication with clients, courts, supervisors, colleagues, and others. Every aspect of the course is infused with consideration for how students can begin to craft their professional identities, how their core values inform their legal work, and how they will service clients.

### **Learning Outcomes and Objectives**

Through this course and its simulated practice environment students will learn a variety of skills designed to introduce them to client-centered lawyering.

Students will also serve in a role of mock law clerk with a fictitious law firm representing a fictitious client. In this capacity, students will learn how to identify a client's legal issue, uncover the client's business and other non-legal considerations, and communicate concrete legal advice and recommendations to the client and firm supervisors.

Through this quasi-experiential curriculum, students will also have the opportunity to begin developing their professional identities and internalizing a commitment to developing all of the competencies of the legal profession. Specifically, students will:

1. Identify client's legal issues from written fact documents and other sources and differentiate the client's stated concerns from the applicable legal issues;
2. Learn to differentiate among legally significant, contextual, and irrelevant facts and identify factual gaps or discrepancies;
3. Analyze client issues using rule-based reasoning and communicate written analysis to clients and supervisors using the TREAT analytical paradigm;
4. Identify the purpose, scope, and stance of each writing assignment and craft both predictive and persuasive analyses that specifically consider all audiences,
5. Craft persuasive arguments that leverage rhetorical tools, are infused with a clear theme and theory of the client's case, and effectively anticipate and respond to the opponent's counterarguments;
6. Conduct original legal research to identify authority applicable to client questions and communicate the results of that research to clients and supervisors;

7. Communicate concisely, precisely, and accurately to supervisors and clients orally and in writing, formally and informally;
8. Learn to communicate effectively with law-trained and non-law trained readers, with specific attention to client capacity to understand legal language;
9. Become citation literate and understand how and why to attribute source material;
10. Build trust and credibility as an advocate by effectively editing and polishing documents before submission and meeting interim and final deadlines;
11. Build trust with clients and supervisors by listening to and responding to their needs;
12. Consider how client's business or other non-legal considerations may impact client's legal representation and identify non-litigation approaches to dispute resolution where possible and advantageous to the client;
13. Identify the potential biases—both internal and external—that may influence how they exercise their responsibilities as lawyers, and how to control for those biases to best serve the client;
14. Learn how to solicit and incorporate feedback through an iterative revision process, simulated supervisor meetings, and peer editing exercises;
15. Hone skills related to the giving and receiving of feedback, including active listening, engaged note-taking, agenda-setting, and priority-setting;
16. Become more comfortable with ambiguity and more self-sufficient through the exercise of problem-solving skills and independent professional judgment;
17. Practice making definitive decisions and communicating concrete recommendations to clients, supervisors, and colleagues;
18. Learn how to effectively prioritize work and manage time through handling multiple assignments at once;
19. Develop personal communication style and executive presence through opportunities for oral presentations for a variety of audiences, including supervisors and clients;
20. Engage in frequent reflection and self-assessment to become more aware of their personal strengths, areas for improvement, and values, and to begin integrating their personal values with the values of the legal profession;
21. Identify professional strengths and opportunities for further professional development through self-directed learning.

## **Disability Support Services**

Any student who may need an accommodation based on the potential impact of a disability should contact the Office of Disability Support Services (DSS) at: 202-994-8250 located in Rome Hall, Suite 102, to establish eligibility. Once a student is registered and deemed eligible for accommodation, they should then contact the Dean of Students Office at 202-994-8320 or [dss\\_support@law.gwu.edu](mailto:dss_support@law.gwu.edu) to coordinate reasonable accommodations (e.g., note-taking assistance, adaptive technologies). For additional information please visit <https://disabilitysupport.gwu.edu/>

## **Course Policies**

Please see the separate [Course Policies & Information document](#), which governs this course and which is incorporated by reference into this Syllabus. Students must fill out this [Acknowledgement of FL Course Policies form](#) to certify that they have read and understand the policies.

The Spring Problem assignments are governed by the [Fundamentals of Lawyering Program Local Rules](#), which students are also expected to read and comply with in full.

## Diversity Matters

Please also note the following: It is the intent of your teaching team—Prof. Gambert and your DFs—that students from all backgrounds and perspectives be well served by this course, that students’ learning needs be addressed both in and out of class, and that the diversity that students bring to this class be viewed as a resource, strength, and benefit. It is my intent to present materials and activities that are respectful of diversity: gender, sexuality, disability, age, socioeconomic status, ethnicity, race, ideology, culture, and all other forms of diversity. Your suggestions, feedback, and opinions are encouraged and appreciated. Please let us know ways to improve the effectiveness of the course for you personally or for other students or student groups. In addition, if any of our class meetings conflict with your religious events, please let me know so that we can make alternative arrangements for you.

## Content Warning

As with many law school classes, readings and exercises in our class can include a range of topics that, at times, may be emotionally distressing or difficult. The Dean’s Fellows and I will make every effort to warn you of any troubling content before you encounter it. If there is a topic you find particularly sensitive, please feel free to reach out to me or our Dean’s Fellows to request advance warning of any particular topic. Moreover, if a discussion or reading is troubling to you, please do not hesitate to talk to me or your Dean’s Fellows.

# 6217-63 Spring 2024 Syllabus Fundamentals of Lawyering II (FL63)

**Class meets each week on Tuesdays from 1:10 - 2:35 pm and  
Thursdays from 3:50 - 5:15pm in LLC006**

### Prof. Iselin Gambert

Burns 421  
[igambert@law.gwu.edu](mailto:igambert@law.gwu.edu)  
202.994.4650 (office)  
917.617.3404 (mobile)  
[Schedule an appointment](#)

### DF Sawyer McDuffie

[sawyer.mcduffie@law.gwu.edu](mailto:sawyer.mcduffie@law.gwu.edu)  
843.457.5557 (emergencies only)  
Office hours: Thursdays from 2:50-3:45pm  
in LLC006

### DF Bella Ochs

[isabellaochs@law.gwu.edu](mailto:isabellaochs@law.gwu.edu)  
973.303.6831 (emergencies only)  
Office hours: Tuesdays from 12-1pm  
in LLC015

## Required Textbooks and Resources

- **New for Spring!** Murray & DeSanctis, [Advanced Legal Writing and Oral Advocacy: Trials, Appeals, and Moot Court](#) (2022 / 3d ed.); ISBN 9781636595597 (“ALW”)
  - Chapters assigned in first two weeks available on Canvas and [on Drive here](#)
- [Sloan, Researching the Law: Finding What You Need When You Need It](#), 4th ed. (Aspen Publishing 2023) (“RTL”)
- The Bluebook, 21st ed., hard copy or e-version at [www.legalbluebook.com](http://www.legalbluebook.com) (“BB”)
- [The Bluebook Uncovered](#) (available for free online) (“BBU”)
- Note: additional supplemental readings may be assigned throughout the semester

## Recommended Resources

- **A grammar and usage manual**, such as Richard C. Wydick’s *Plain English for Lawyers*, Bryan A. Garner’s *The Redbook: A Manual on Legal Style*, Strunk & White: *Elements of Style*, and/or *Core Grammar for Lawyers*, available at [www.coregrammarforlawyers.com](http://www.coregrammarforlawyers.com)
- **TeachingLaw.com**. This resource has three sections: Legal Research, Legal Writing, and Grammar & Citation. It contains study aids, quizzes, self-assessments, annotated sample documents, video testimonials, and other interactive material to teach students legal research strategies and writing techniques.

## Program-wide FL Course Elements

**Note:** All written assignments are due **before** 5:00 pm. Documents submitted after 4:59:59 pm will be considered late. With the exception of the Appellate Brief, Appellate Oral Arguments, and Experiential Reflections, all course elements are ungraded. That said, **timely and thorough completion of all ungraded assignments is required to pass the course**, and will also be part of your Professionalism assessment.

Assignment / Exercise	Week / Deadline
Trial Brief (ungraded)	<b>Week 5:</b> Sunday, Feb 11 before 5pm
Trial Brief Oral Arguments (ungraded)	<b>Week 6</b>
Individual Student Conferences (ungraded)	<b>Weeks 11 + 12:</b> Specific dates TBD
Appellate Oral Arguments (15%)	<b>Weeks 13 + 14:</b> April 1-9; specific dates TBD

Appellate Brief (60%)	<b>Week 15:</b> Tuesday, April 16 before 5pm
Experiential Reflections (5%)	Maintained throughout semester; final <b>Spring Reflection Synthesis</b> due Tue, April 16

Worth 5% of your grade, the [Experiential Reflections assignment](#) will span the entire Spring semester. Students will be asked to reflect in writing on a *minimum* of five experiences:

- The Trial Brief Oral Arguments
- A scenario-based exercise (details forthcoming)
- One peer review/feedback exercise
- The Appellate Brief draft or the individual conference regarding same
- The Appellate Oral Argument

Students will maintain a file on Drive with their reflections on certain assignments throughout the semester, and are also encouraged to reflect more frequently. Students will receive feedback on their written reflections at least once during the semester. The manner in which that feedback is provided—orally or in writing, from the FL prof, the DFs, or some combo—is up to each professor.

Individual reflections on the experiences identified above will form the basis of a 4-page max (single spaced) **Spring Reflection Synthesis document**. Students may format this document as they wish (bullets, tables, pictures, etc.), capturing their key takeaways and reflections from the semester. Profs will assess the Spring Reflection Synthesis document using the Experiential Reflections rubric.

Worth 20% of your grade, the **Professionalism** assessment encompasses a range of **technical elements** including attendance, punctuality, ability to meet deadlines, and submission of complete and thorough assignments (graded and ungraded), as well as **skills related to professional identity formation**, including engagement, collegiality, self-direction, and the depth and thoughtfulness of contributions to class discussion. Professionalism is assessed with a rubric that is consistent across the entire 1L class.

## Week-to-week Guide

Week	Topics, Skills, Reading	Notes
1 Week of Jan. 8	<b>Introduction to client advocacy</b> <ul style="list-style-type: none"> <li>• Overview of the spring semester</li> <li>• Advocating for clients: intro to rhetoric and persuasion</li> </ul>	<b>Read and watch:</b> <ul style="list-style-type: none"> <li>• ALW Chapter 1</li> <li>• ALW Chapter 2</li> <li>• Watch: <a href="#">Mr. Rogers and the Power of Persuasion</a></li> <li>• Read Spring Problem Material docs before Class 1 next week</li> </ul>

<p>2 Week of Jan. 15</p>	<p><b>Intro to the Trial Brief, legal advocacy, and working with statutes</b></p> <ul style="list-style-type: none"> <li>• Intro to Trial Brief assignment</li> <li>• Intro to legal advocacy and working with statutes</li> <li>• Research strategies</li> <li>• Finding and working with local rules</li> </ul>	<p><b>Reading:</b></p> <ul style="list-style-type: none"> <li>• ALW Chapter 1 + 2</li> <li>• Re-read Trial Brief materials</li> <li>• <i>Nix v. Heddon</i> case (on Canvas in Week 2 Module)</li> <li>• <a href="#">Research Plan Tips doc</a> (on Canvas in Week 2 Module)</li> </ul> <p><b>Assignments Due:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Research exercise</a> (on Canvas in Week 2 Module)</li> <li>• Develop research plan + start research</li> <li>• <a href="#">Weeks 1-2 Feedback Form</a></li> <li>• <b>Experiential Reflection #1:</b> In-class short oral advocacy exercise</li> <li>• <b>Bring to class on Tuesday:</b> a rough Research Plan and any potentially relevant initial sources to discuss, including at least 3 relevant cases (name, cite, holding, LSFs)</li> </ul> <p><b>Note:</b> The Writing Center opens on Tuesday, January 16. Appt reservations will be available the weekend before.</p>
<p>3 Week of Jan. 22</p>	<p><b>Telling your client’s story + Van Vleck</b></p> <ul style="list-style-type: none"> <li>• Crafting your client’s narrative</li> <li>• Developing a “theme” for your case</li> </ul> <p><b>Note:</b> Students must attend <a href="#">Van Vleck Moot Court Comp</a> in lieu of class on Thursday this week</p>	<p><b>Watch:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Van Vleck overview video</a></li> </ul> <p><b>Reading:</b></p> <ul style="list-style-type: none"> <li>• ALW Chapter 3</li> <li>• Spring Problem docs</li> <li>• Jack W. Burtch Jr., <a href="#">The Lawyer as Counselor</a>, 58 Va. Law. 26 (Apr. 2010).</li> </ul> <p><b>Assignments Due:</b></p> <ul style="list-style-type: none"> <li>• <b>Experiential Reflection #2:</b> Van Vleck moot court viewing</li> <li>• Continue researching and begin outlining your argument!</li> <li>• <b>Bring to Class 2 next week:</b> 3-page draft for in-class discussion and peer feedback</li> </ul>

<p>4 Week of Jan. 29</p>	<p><b>Crafting a persuasive TREAT on a purely legal issue; Optimizing Counterarguments; Peer Feedback</b></p> <ul style="list-style-type: none"> <li>• TREATing a purely legal issue</li> <li>• Working with organization and structure to maximize persuasion</li> <li>• Writing responsively and strategically, including identifying counterarguments and thinking like the opposition</li> <li>• Citation to court documents, electronic sources, and secondary sources</li> <li>• Class 2: Peer feedback exercise</li> </ul>	<p><b>Reading</b></p> <ul style="list-style-type: none"> <li>• ALW Chapter 7 (incl sample memos)</li> <li>• Sample Trial Briefs (Canvas)</li> </ul> <p><b>Assignments Due:</b></p> <ul style="list-style-type: none"> <li>• <b>Bring to Class 2 this week:</b> 3-page draft for in-class discussion and peer feedback</li> <li>• <b>Prepare for next week:</b> Team Strategy Sessions</li> <li>• Work on Trial Brief (due next week)</li> <li>• <b>Experiential Reflection #3:</b> Peer feedback exercise</li> </ul> <p><b>WF-DF Info Session: Wed, Jan 31 at 12pm: Zoom link forthcoming</b></p>
<p>5 Week of Feb. 5</p>	<p><b>Team Strategy Sessions; Finalizing Trial Court Brief; Oral Argument strategies</b></p> <ul style="list-style-type: none"> <li>• <b>Schedule for Strategy Sessions forthcoming</b></li> <li>• Format of a Trial Brief</li> <li>• Finalizing the Trial Brief</li> <li>• Editing and polishing tips</li> </ul>	<p><b>Reading</b></p> <ul style="list-style-type: none"> <li>• ALW Chapter 7 (incl sample memos)</li> <li>• Sample Trial Briefs (Canvas)</li> </ul> <p><b>Assignments Due:</b></p> <ul style="list-style-type: none"> <li>• <b>Prepare for this week:</b> Team Strategy Sessions in Class 1</li> <li>• <b>Trial Court Brief due before 5pm on Friday, Feb. 9</b></li> <li>• <b>Prepare for next week:</b> 5-minute oral presentation</li> <li>• <b>Experiential Reflection #4:</b> Team Strategy Session</li> </ul> <p><b>Watch for next week:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Arguing a Motion, Part 1</a> (16 min)</li> <li>• <a href="#">Arguing a Motion, Part 2</a> (17 min)</li> <li>• <a href="#">How to Improve Your Listening Skills</a> (5 min)</li> </ul>
<p><b>Trial Court Brief Due to Canvas Sunday, Feb. 11 before 5 pm</b></p>		

(syllabus will be updated on a rolling basis for subsequent weeks)

## Spring 2024 Semester-at-a-glance

	Mon	Tues	Wed	Thu	Fri	Sat	Sun
Week 1	Jan. 8	9	10	11	12	13	14
Week 2	15 MLK Day No classes	16 WC opens	17	18	19	20	21
Week 3	22	23	24	25 Van Vleck - no FL class	26	27	28
Week 4	29	30	31 WF-DF Info Session	Feb. 1	2	3	4
Week 5	5	6	7	8	9	10	11 Trial Ct. Brief Due
Week 6	12 DF-run Oral Presentations this week	13	14	15	16 WF-DF App Deadline	17	18



<b>Week 7</b>	19 GW Bday No classes	20	21	22	23	24	25
<b>Week 8</b>	26	27	28	29	March 1	2	3
<b>Week 9</b>	4	5	6	7	8	9	10
<b>Week 10</b>	11 Spring Journal Comp over Break	12 Break	13 This	14 Week	15	16	17 Draft excerpt of App Brief due
<b>Week 11</b>	18 Conferences this week	19	20	21	22	23 Mock Trial Prelims	24 Mock Trial Prelims
<b>Week 12</b>	25 Conferences this week	26	27	28	29 Good Friday	30 Mock Trial Finals	31 Easter Mock Trial Finals
<b>Week 13</b>	April 1 First day of Oral Args	2	3	4	5	6	7
<b>Week 14</b>	8	9 Last day of Oral Args	10	11 Last FL class	12 FYC	13 FYC	14 FYC
<b>Week 15</b>	15 No FL classes	16 this week App Brief Due	17	18	19	20	21