Re-inventing the second semester

Get to work!

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Creating the 2\textsuperscript{nd} semester syllabus (persuasive legal writing)

- Assume 20 hours of group teaching
Common ground

- Story is important
- We never have enough teaching time
- Emphasis should be on student learning
- Much learning happens outside of class
How much time did you allot to . . .

- Teaching persuasion?  
  - 20 hours

- Talking about clients?  
  - 20 hours

- Teaching storytelling?  
  - 20 hours
It’s still familiar, but story is more than an add-on

- Persuasive theory
- Statement of the case
- Types of legal arguments
- Writing the argument persuasively
- Headings, QP’s or Prelim Statements, Tables of Contents etc.
- Oral argument
Outside-of-class learning:

- Citation
- Court rules
- Research

- Perspective is what has changed.
Persuasive theory
http://www.youtube.com/watch?v=KfW0iWIHpdg
Understanding and being able to retell the client’s situation

- Characters
- Point of view
- Description & detail
- Stock structures
- Visual imagery

Picture from flickr.com & Stanley Stuyvesant column on guestofaguest.com
Writing the story

Shadow documents

Draft of Statement of Case

*Idea came from clinicians*
One of these things is not like the others.

- Pure rule of law issue

[Diagram with a leprechaun, a person, a unicorn, and a rainbow]
“abuse” means: Use of derogatory or inappropriate names, phrases or profanity, ridicule, harassment, coercion, threats, cursing, intimidation or inappropriate sexual comments or conduct of such a nature as to threaten significant physical or emotional harm to the elderly person.
Character & Point-of-view in Conclusion & Rule Statement
This Court can feel comfortable affirming the trial court’s ruling that these parties fall under the statute’s jurisdiction. Courts have defined the term “household member” broadly, and the majority of decisions have found in favor of plaintiffs seeking to fit into that classification. The courts use a set of non-exclusive, and permissive factors when determining that the plaintiff is a “household member.” Those liberal factors include . . .
The opposing party’s Rule Statement
Although the Legislature has called for a broad interpretation of the Act’s relief, the appellate courts nevertheless carefully stay away from over-stretching the definition of “household member,” and have twice cautioned lower courts to place rational limits on the Act’s jurisdiction when considering the several factors. Therefore, courts will exclude situations in which the parties live outside the norms of a family or family-like situation, such as these college classmates do. To interpret the statute too inclusively, would, according to the Appellate Division, create “absurd results.”
The story of “not”
Take-home visual

Storytelling for the client all the way down