



Bridging Theory with Practice

by Wendy R. Cromwell

> Experiential learning is a cornerstone of Georgia State Law's pedagogy

The legal education community is abuzz with how to train practice-ready attorneys.

Law schools across the country have begun taking to heart the findings of a 2007 study by The Carnegie Foundation, which called for creating greater opportunities for students to gain practical experience.

"An emphasis on skills and the struggle to find the balance between the teaching of theory, doctrine and skills is a longstanding tension in legal education," says Steven J. Kaminshine, dean and professor of law.

Schools have tried a number of solutions to incorporate skills into the curriculum, including retooling the third year by establishing "bridge to practice" programs. Others have added fellowship programs for young graduates to gain much-needed experience before entering the job market.

Georgia State University College of Law is taking a different approach. The integration of skills into the college's curriculum is more than externships, clinics and co-curricular activities. It is a founding principle of the college and a cornerstone of its pedagogy.

"Our faculty comes from similar backgrounds in that most of us have practiced law," says Andrea Curcio, professor of law. "Our faculty brings a scholarly academic foundation and practice orientation into our classes. We value what lawyers do. We really care about producing strong, responsible, effective lawyers."

In the last five years, this commitment to producing

effective lawyers led the faculty to rethink the first-year writing program to better incorporate skills from day one. It shaped the redesign of the litigation program, now called Lawyering: Advocacy, to embrace more exercises and skill-building projects.

"Because we are a young school, we have the flexibility to adapt with the market," says Wendy Hensel, associate dean for faculty development and research.

In the last couple of years, the faculty has revisited many established courses to incorporate an experiential learning component or developed blended courses throughout the curriculum.

To support these efforts, the college now offers competitive summer teaching grants to faculty members interested in reworking existing doctrinal courses to incorporate a skills component or creating blended courses. "While the idea for these courses is not new," says Kaminshine, "interest in them has grown in the wake of the Carnegie Foundation's criticism that skills training and professional development were too segregated from the main parts of the curriculum."

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Blending skills with doctrinal courses

Professors Ronald W. Blasi and Mary F. Radford teach a blended capstone course, while other professors have created integrated skills modules like Anne Tucker's Unincorporated Business Associations and Jessica Gabel's bankruptcy and contracts classes, Kaminshine says.

"With blended courses, students get to see what they read in a casebook in context," says Gabel, associate professor of law, "how it plays out, how to unpack the problem and how to best serve a client, which sometimes means negotiating and settling rather than advocating and running to trial."

Ashley Worrell (J.D. '15) agrees, saying the team component of Gabel's Basic Bankruptcy course was the most valuable part. "In my summer job, there was never a project where I worked 100 percent independently. While in law school, I think we tend to lose sight of that while studying for exams. Learning how to share ideas and work together are invaluable skills that I would not have gotten the chance to exercise without taking professor Gabel's class."

Incorporating real-life situations

In their capstone course, Blasi and Radford use real-life situations. The course focuses on a family-owned business in which students implement an estate plan, draft a trust, convert the company into Subchapter S status and recapitalize the company. In the second semester, the

Experiential Courses at the College of Law

Here is a sampling of the courses that are being reexamined and reimaged by the faculty to include experiential learning components or modules.

Advanced Alternate Dispute Resolution

Advanced Evidence

Advanced Legal Writing

Alternative Dispute Resolution

Bankruptcy Litigation, Negotiation and Practice

Business Succession Planning Capstone

Civil Procedure II with Andrea Curcio

Complex Litigation

Contracts of the Future

Estate Planning

Fundamentals of Law Practice

Georgia Appellate Practice

Health Law Quality and Access

Health Legislation and Advocacy

International Business Transactions

Interviewing and Counseling

Lawyering: Advocacy (formerly Litigation)

Lawyering: Foundations (formerly Research Writing Advocacy)

Mediation

Negotiations

Nonprofit Organizations:

Law and Taxation

Patent Drafting and Prosecution

Public International Law with

Natsu Saito

Unincorporated Business Associations

A focus on the fundamentals

While many schools focus their fundamentals coaching on law office management, "the nuts and bolts of putting your shingle out and setting up an office," Kaminshine says, "Clark

"I want my students to approach issues like problem-solvers and come out with a skill set that sets them apart."

—Jessica Gabel, associate professor of law

students deal with the ramifications of the death of a parent, including managing family discord and drafting a buy-sell agreement.

"The course combines three elements — substantive law relating to business tax, business planning and estate planning; lawyering skills, including client interviewing, drafting and negotiating; and ethical and professionalism issues that revolve around the complexities involved when a lawyer represents multiple generations of a family as well as the family-owned business," says Blasi, Mark and Evelyn Trammell Professor of Law and director of Philip C. Cook Low-Income Taxpayer Clinic.

"This grew out of the need to provide students with additional law school training that bridges the gap between the law school doctrinal courses and the legal experience that students will actually encounter upon graduation," says Radford, Marjorie Fine Knowles Professor of Law.

"Students are hungry to try on the role of being a lawyer," says Anne Tucker, assistant professor of law, of her blended courses in business law. "The simulations give them a nice break from the purely intellectual exercise of learning the law. With the blended courses, students are not learning the law in a vacuum."

"The feedback has been really positive," Tucker says. "They tell me the exercises are really helpful in their externships and summer jobs. They start to see how it all fits together and matters."



Jessica Gabel, associate professor of law, has worked to incorporate skills components into her bankruptcy courses. "With blended courses, students get to see what they read in a casebook in context," she says.

Cunningham's goal was to create something that offered more about the profession and the demands of being a lawyer beyond the business part of practice."

Cunningham's Fundamentals of Law Practice, Kaminshine says, is an excellent example of a blended course. It offers simulation exercises and a field work component in which students interview and observe the work of solo and small firm lawyers, many of whom are alumni.

"Fundamentals of Law Practice is a time-consuming, difficult course," says Katherine Perry (J.D. '13). "I cannot imagine a course that provides a wider array of practical opportunities."

"All of this learning is then put into actual practice when the students handle a complete domestic violence case from beginning to end, concluding with either a contested court hearing or negotiated settlement," says Cunningham, W. Lee Burge Professor of Law and Ethics.

"Whereas traditional law courses are focused on teaching students to think like lawyers, the Fundamentals course exposes students to some of the knowledge and skills that are needed to actually practice law," says Matt Hurst (J.D. '13), law clerk with Littler Mendelson PC. "It was a truly enlightening and enlivening experience to get out of the classroom and into the courtroom."

Sylvia Caley (J.D. '89) developed the Health Legislation and Advocacy courses to provide concrete opportunities

Bliss Named College's First Director of Experiential Education

Lisa Radtke Bliss, associate clinical professor and co-director of the Health Law Partnership (HeLP) Legal Services Clinic, has been named the College of Law's first director of experiential education.

"The College of Law has reached the point of needing a director of experiential education," says Steven J. Kaminshine, dean and professor of law. "Lisa will serve a leadership role in this growing area, including coordinating and being a resource for our many experiential learning programs and initiatives, including our clinics, externship program, and faculty efforts to create experiential courses or integrate experiential features into existing ones."

Georgia State Law offers distinctive experiential opportunities for students in a range of courses, beginning in the first year. Until now, those programs have operated in silos, Bliss says.

"I look forward to working with my colleagues to coordinate, strengthen and expand clinical and other experiential learning opportunities for students across the curriculum," Bliss says. "I hope to facilitate the sharing of ideas for experiential learning in clinics, externships, practicums, simulation courses and other models, and examining how these different avenues for learning fit into a coherent program of legal instruction for students."

The new building provides the perfect opportunity for Georgia State Law to reimagine its experiential programming, both Kaminshine and Bliss say. Improved classroom space and a state-of-the-art clinic suite will enhance the ability of faculty to explore new collaborations and teaching innovations.

"At the same time, it is important to maximize resources," Bliss says. "Through my work in the HeLP Clinic, I have come to recognize the critical role that law school partnerships with the bar and other institutions can play in providing meaningful learning opportunities to prepare students for their lives as professionals."

Georgia State Law has a history of engagement with the bench and bar in numerous ways, and there is great potential for partnerships that include experiential learning components, Bliss says.

Bliss will continue as co-director of the HeLP Clinic, as well as teaching her clinic course and Interviewing and Counseling course.

"The creation of this position speaks to the incredible growth of Georgia State Law's clinical and experiential programming in its relatively short history," says Bliss. "I am honored to help write the next chapter."

for "understanding and engaging in the legislative and regulatory processes and developing skills in using the law to address systemic issues for the benefit of the community."

Her students partner with nonprofit organizations to research and draft legislation to affect systemic change. Recent achievements include House Bill 1166, which closed an insurance loophole for Georgia children.

One takeaway, Caley says, is that every day, the actions of a lawyer contribute to his or her professional identity and reputation.

"Ethical issues abound and we need to be alert and proactive in recognizing and addressing them," Caley says. "Fundamental skills—effective communication, research, writing, analysis, counseling, negotiation, identifying the

client's goals, fact-finding, problem-solving—emphasized in the clinic are the foundation of all forms of law practice. The clinic and HLA class put theory into action. They make it real life and tangible."

Sam Park (J.D. '13) credits Health Legislation and Advocacy with helping him secure an LL.M. fellowship with American University's Washington College of Law in Washington, D.C.

"Working on teams in Professor Caley's classes helped me gain another perspective on an issue that expanded my understanding of the law and its impact," Park says. "Working in teams also helped me learn to work with others in a productive manner typical of real-world situations."

Teaching Innovation Grants Enrich Curriculum and Expand Experiential Learning

This fall, three professors, **Jessica Gabel, Cornell Stephens** and **Leslie Wolf**, will teach new or enriched courses designed to enhance students' applied or experiential learning. The three professors received three \$11,000 teaching innovation grants this summer to design or revise their courses as part of a pilot program. Faculty submitted proposals, which were evaluated based on the overall quality of the proposed course, the number of students served and the degree to which course components may be transferrable to other courses.

"This program encourages innovation in teaching and enhances our curriculum by introducing novel and significant simulation or experiential components," says Steven J. Kaminshine, dean and professor of law. "Georgia State Law prides itself on fostering an environment of collaboration.

These grants help faculty members enrich their course offerings, allowing students to further refine the necessary skills to become successful practicing attorneys."

Gabel's course Bankruptcy Litigation, Negotiation and Practice will give students experience in handling consumer bankruptcy cases.

Working with local practitioners and bankruptcy judges, students will represent a client throughout the bankruptcy procedure.

"This course gives students a great opportunity to represent clients while being mentored by a group of phenomenal and experienced lawyers," Gabel says. "With that opportunity comes immense responsibility, and I think it's important that students get a taste of that early on in their careers. This is the type of blended curriculum that we

should be providing, and the grant is an amazing way to get this project started."

Learn more about this course at law.gsu.edu/BAPP

Stephens proposed a course that introduces students to various types of contracts and teaches them the principles of drafting a contract—including form, style and language. Members of the bar will present various contracts and drafting issues to the class.

"Currently, there is no course in our curriculum that allows students to develop and hone their skills in reviewing, interpreting and drafting legal and contract documents," Stephens says. "My ultimate objective is to enable students to analyze the basic structure of contracts and help them develop the macro and micro techniques to create contract documents—whatever type or nature—with precision and clarity."

Wolf used the grant to evaluate and revise the Health Law Quality and Access course, incorporating experiential learning. "As I was teaching the course, I realized that there were several opportunities to tie experiential learning directly to the classroom material," she says. "With the grant, I will identify skill-based activities that extend organically from classroom reading to help reinforce the material and expose students to the wide range of litigation and nonlitigation activities that health lawyers perform."

Georgia State Law will have another call for proposals in January.

—Holly B. Cline



Co-Curricular Programs Provide Chance to Test-Drive Advocacy Skills

by Emily C. B. Diffenderfer

STLA and Moot Court thrive

Two College co-curricular organizations, Moot Court and the Student Trial Lawyers Association, provide students the opportunity to hone their advocacy skills.

STLA's 2012-13 season

Fall

- **1st place**, National Trial Advocacy Competition at Michigan State University
- **2nd place**, Lone Star Classic Competition, Texas

Spring

- **1st place**, American Association of Justice Mock Trial Regional Competition
- **2nd place**, William Daniel Mock Trial Competition
- **5th place**, Florida State University Mock Trial Competition
- **5th and 6th place**, American Association of Justice Mock Trial Regional Competition

Facing the bench

Moot Court gives students a chance to develop problem-solving skills, says faculty adviser Jessica Gabel, associate professor of law. "It's quite different from being the one to ask questions at trial versus being the one facing the firing squad. Both are important in the legal system, but they are also very different skill sets."

This spring, the college's moot teams competed well. "The thrill of a competition is similar to the level of advocacy required in the courtroom. It truly is one of the best ways to gain exposure to what many lawyers do on a day-to-day basis," says Kara Gordon, 2013-14 Moot Court president.

In February, a team took second place and won best brief in the Saul Lefkowitz Competition, hosted by the International Trademark Association. "Only the top two teams out of each region move on to nationals," says coach Alexander Hoffspiegel (J.D. '13). "So, the team was excited to advance. It vindicated that their hard work paid off in the end."

In March, another team competed in the regional qualifying round of the Philip C. Jessup International Law Moot Court Competition, placing third with team members earning individual awards. The team argued before a volunteer judge who was a Russian attorney with the European Court of Human Rights.

"She doesn't just know international law in an academic vacuum, she has lived it," Lynnette Jimenez (J.D. '14) says. "I was so proud that our team's research and preparation allowed us to engage the material and answer her challenging questions thoughtfully and articulately."