

# DANIEL WEBSTER SCHOLAR (LAW) (LDWS)

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## LDWS 901 - DWS Trial Advocacy

**Credits:** 3

Trial Advocacy is a 2-L simulation course. Using the interrogatories and deposition transcripts they obtained in Pretrial Advocacy, students try their hand at controlling the witnesses in the trial setting. They also participate in a simulated criminal trial from beginning to end, complete with a student jury that deliberates. Students are taped so that they can watch and reflect upon their performance, keeping weekly logs of their progress. They receive feedback from peers, professors, lawyers, judges, jurors and witnesses. At the end of the course, each scholar prepares a reflective paper in which, using the MacCrate skills and values as a guide, the student identifies those skills and values that were addressed in the course, reflects upon the student's own perceived strengths and weaknesses, and discusses how the student plans to cultivate strengths and improve weaknesses. This course cannot be taken for an S/U grade.

**Grade Mode:** Letter Grading

## LDWS 902 - DWS Business Transactions

**Credits:** 3

Business Transactions is a 3-L course offered to students enrolled in the Daniel Webster Scholars program. The course exposes students to a range of business transactions including business formation, management, dissolution and sale, as well as how to handle common matters which small businesses will likely encounter, such as creating financing documents, promissory notes, security agreements, mortgages, real estate closings, the foreclosure process, non-compete agreements, mechanics' liens, as well as other transactions. Students will negotiate solutions to ten different simulated transactions and business problems, and draft appropriate documents to implement the solutions they negotiate with opposing counsel. Eligibility: Required DWS course. Course format: simulation. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**Grade Mode:** Letter Grading

## LDWS 903 - DWS Miniseries

**Credits:** 2

The Miniseries is a number of short course modules which expose 2-L students to numerous areas of practice, including family law, conflicts of law, secured transactions and negotiable instruments. Students are also exposed to client counseling skills which will be further developed in the Capstone during the 3-L year. The family law section includes simulation involving typical family law problems and the completion of documents required for an uncontested divorce. Students also receive training to become qualified as DOVE (Domestic Violence Emergency) attorneys so they can participate in DOVE's North Country Project providing telephone advice as part of their experience. Conflicts of law, secured transactions and negotiable interests are presented primarily in a lecture format.

**Grade Mode:** Law Satisfactory/Unsatisfactory

## LDWS 904 - DWS Negotiations & ADR

**Credits:** 3

DWS Negotiations & ADR is a 2-L simulation course primarily involving interest-based negotiation, mediation, arbitration and collaborative resolution. Students role-play in a variety of settings. The skills and theories introduced are applicable to life generally and practice specifically. Student performances are often taped so that students can observe themselves and learn from that experience. Students prepare negotiation outlines in advance of each session and keep weekly skills logs reflecting upon their progress. They also receive feedback from their peers and professors as well as from practitioners who observe sessions. In addition to the negotiation problems that are designed by the professors, the scholars may be asked to find problems from current events. At the end of the course, each scholar prepares a reflective paper in which, using the MacCrate skills and values as a guide, the student identifies those skills and values that were addressed in the course, reflects upon the student's own perceived strengths and weaknesses, and discusses how the student plans to cultivate strengths and improve weaknesses. This course cannot be taken for an S/U grade.

**Grade Mode:** Letter Grading

## LDWS 905 - DWS Capstone

**Credits:** 2

This course primarily focuses upon the client/lawyer relationship and developing the listening, analytical and counseling skills necessary to be a competent lawyer; it also provides exposure to the law office management/business side of law practice. In this course, as in the real world, students are assigned roles in various given factual situations that involve multiple areas of substantive law, without being first guided as to what issues are relevant. Clients are then interviewed, necessary research is performed, and advice is given. Students observe and provide feedback to each other using the same assessment forms that standardized clients will later use. This familiarizes the students with what is later being tested and makes them more conscious of the skills necessary to interview a client successfully. Twice during the semester, students interview trained standardized clients who use a standardized fact pattern. The standardized clients provide written and oral assessments of student interviewing skills based upon a standardized form. A satisfactory competency score for at least one of the interviews is required as a component of the DWS alternative bar exam. Anyone not receiving a satisfactory score will have an opportunity to conduct another interview after receiving feedback. This course cannot be taken for an S/U grade.

**Grade Mode:** Letter Grading

**LDWS 942 - DWS Pretrial Advocacy**

**Credits: 4**

Pretrial Advocacy is a 2-L simulation course. Each of the two sections is a law firm. Each firm has an experienced litigator/professor in the role of "senior partner," and the 2L scholars are "junior associates." There are also two 3L scholars in each firm who serve as "senior associates". Actors play the roles of the parties and various witnesses. Working both in small groups and alone, the junior associates: interview clients and witnesses; prepare or answer a complaint; prepare and answer interrogatories; take and defend a deposition with an actual court reporter who takes it in "real time" and provides a transcript; prepare a motion or an objection to a motion for summary judgment which is then argued before a real judge in the judge's courtroom; and prepare a final pretrial statement for submission to the court. Throughout the semester, the "junior associates" also submit time sheets to their "senior partners." "Junior associates" receive constructive feedback from their "senior partners," "senior associates," and each other, as well as from court reporters, judges, attorneys, standardized clients and witnesses. They also observe and critique their taped deposition and oral argument performances. At the end of the course, each scholar prepares a reflective paper in which, using the MacCrate skills and values as a guide, the student identifies those skills and values that were addressed in the course, reflects upon the student's own perceived strengths and weaknesses, and discusses how the student plans to cultivate strengths and improve weaknesses. This course cannot be taken for an S/U grade.

**Grade Mode:** Letter Grading