

# SIMULATION COURSES & WORKSHOPS

## SIMULATIONS

### **The Business Negotiator**

This course provides students the opportunity to develop and strengthen their negotiation skills mostly in the context of business and transactions work. Through lectures, role-plays, and simulations, students will refine their negotiation strategies and techniques in negotiating deals, contracts, and relationships. While the vast majority of the course will focus on improving student ability to engage in transactions work within the United States, the course will also consider various barriers to deal making in a global context, including culture, ideology, and foreign governments and laws. Prerequisite: One year of law school in the full-time or part-time program.

### **Mediation Clinic**

This course follows the standards for mediation training promulgated by the Texas Mediation Trainers Roundtable. To pass the course and receive credit, the student must attend the entire 40 hours of classroom training and participate in the role-plays, performing as a mediator and as a disputant. The student must also satisfactorily complete the clinic portion of the training, which consists of mediations or observations at Dispute Resolution Centers and other locations. In addition, students must submit a journal for each case mediated or observed. Prerequisite: One year of law school in the full-time or part-time program.

### **Guardianship Practicum**

This course is designed to teach students about Texas guardianship law. It will teach how to determine if a guardianship is needed or if there are less restrictive alternatives to a guardianship and what those alternatives entail. Students will learn how to draft applications and orders for a guardianship of the person and/or estate along with all supporting documents. Students will draft inventory, appraisements, list of claims, annual accountings, reports of attorneys or guardians ad litem, and final accountings for guardianships of the estate. The course will provide a practical look at how to represent an applicant for guardianship as well as how to represent the proposed incapacitated person. Prerequisite: One year of law school in the full-time or part-time program.

### **Negotiation Theory & Practice**

This course offers students the opportunity to further develop their negotiation skills. It will focus on simulations and negotiation exercises intended to give students firsthand experience in applying interest-based negotiation techniques. The course examines the skills, constraints, and dynamics of negotiation. Students will also learn a theoretical framework for

understanding negotiation practice in a variety of contexts through readings from the fields of law, psychology, business, and communication. Prerequisite: One year of law school in the full-time or part-time program.

### **Post -Conviction Actual Innocence Claims**

This course will teach the law and the practical applications of the law in petitioning the judiciary for relief, based on facts garnered through an initial post-conviction investigation. Students will learn what a post-conviction claim of actual innocence is and how the United States Supreme Court and the Texas Court of Criminal Appeals have analyzed and dealt with such claims in both death penalty and non-death cases. Prerequisite: One year of law school in the full-time or part-time program, including Criminal Law.

### **Spanish for Lawyers**

This course is for students who already have Spanish proficiency. The course is primarily intended to prepare students for the practice of immigration law by discussing legal concepts and legal procedures related to the representation of Spanish-speaking clients in immigration proceedings. Several classes will also focus on the representation of Spanish-speaking clients in Criminal Law and Family Law. Students will learn and review Spanish vocabulary as it relates to these areas of law and practice interviewing, counseling, and representing Spanish-speaking clients in immigration, criminal, and family-related matters.

### **Texas Criminal Law Practicum**

Students function as prosecuting and defense attorneys, taking a hypothetical case from arrest through post-conviction remedies. The course may include such topics as legal limits on criminal investigation, the grand jury process, setting bail, negotiating plea bargains, drafting pretrial motions, the discovery process, trial rights and tactics, habeas corpus, and appeals. Prerequisites: (1) One year of law school in the full-time or part-time program, including Criminal Law; (2) Criminal Procedure.

### **Trial Advocacy Practicum**

A study of civil and criminal trials, taught through lectures, demonstrations, and simulations. Each trial segment is examined separately, and accompanying exercises are conducted with students acting as attorneys and witnesses. The course culminates in a mock trial at a local courthouse, where students have the opportunity to present an entire case through verdict. Prerequisites: (1) All lockstep courses except Constitutional Law; (2) Evidence (may be taken concurrently).

## **SIMULATIONS – UPPER LEVEL WRITING COURSES**

### **Contract Drafting**

This hands-on course covers contemporary commercial drafting of contracts, an essential skill for transactional practice that is also useful for litigators. Topics include translation of a client's business deal into contract language; the organizational paradigm for a formal contract; drafting definitions, covenants, representations, and warranties; deconstructing and marking up contracts; transactional and formbook research; and proper use of boilerplate provisions. Students will draft at least two major contracts and will have smaller drafting and research assignments throughout the course. Prerequisite: One year of law school in the full-time or part-time program, including LARW I & II and Contracts.

### **Criminal Law Drafting**

This practical course teaches students how to draft documents used in Texas criminal cases. Using the Code of Criminal Procedure and the Penal Code, students will draft documents based on actual criminal cases—warrants, motions and responses, notices, pretrial writs, stipulations, and jury instructions. Students will draft a variety of documents throughout the course including a major persuasive motion and response.

### **Drafting for General Practitioner**

This two-credit practical skills class introduces students to the drafting of legal documents that are common to the general practitioner. The course is designed to provide students with general knowledge of and proficiency with the typical documents lawyers are asked to draft by practicing the drafting techniques common to the various types of legal documents lawyers encounter. The course is based on “small firm” simulations during which students will represent one client in a variety of legal matters including contract drafting, will drafting, negotiation, and settlement of a dispute. In addition to learning new drafting skills, students will hone writing and oral advocacy skills already learned through the production of client letters, lawyer-to-lawyer email communications, and oral settlement negotiations. Prerequisite: One year of law school in the full-time or part-time program, including LARW I & II.

### **Environmental Litigation Drafting**

This course will introduce students to a realistic view of the pretrial litigation process in a typical environmental lawsuit. Using a state district court forum and the Texas Rules of Civil Procedure, students will draft litigation documents from the clients' first contact through the pretrial process. Students will conduct research; interview clients; draft letters; prepare petitions, answers, and affirmative defenses; propound written discovery; object and respond to written discovery; prepare motions; present oral arguments; and prepare other litigation-related documents.

### **Estate Administration Drafting**

This course is designed to teach students how to open, conduct, and close an administration of a decedent's estate under Texas law. Topics include independent and dependent administrations; probate of the decedent's will; powers, rights, and duties of the personal representative; payment of creditors' claims; and informal probate procedures. This course will provide a practical look at how to represent a client who is serving as the personal representative of a decedent's estate or who is a beneficiary of a decedent's estate. There will be no exam for this course. Students' grades will be based on various drafting projects assigned throughout the semester. Prerequisites: (1) One year of law school in the full-time or part-time program, including LARW I & II; (2) Wills & Estates.

### **Estate Planning & Drafting**

This course involves working through hypothetical clinical problems, including extensive drafting and working closely with the professor. The problems involve comprehensive planning and drafting of estate planning documents to effectuate the plan. Prerequisites: (1) One year of law school in the full-time or part-time program, including LARW I & II; (2) Wills & Estates; and (3) Trusts & Fiduciary Responsibilities (may be taken concurrently).

### **Family Law Drafting**

This practice skills course covers drafting documents for family law litigation. All aspects of litigation are covered from pretrial to appeal. Students will draft several substantive documents during the course. Prerequisites: (1) One year of law school in the fulltime or part-time program, including LARW I & II; (2) Family Law.

### **How the Deals Get Done**

Transactional law practice using a hypothetical start-up business to help deal with the transactional issues in this context; combination of theory and practice to prepare for typical matters confronted in a transactional law practice. Prerequisites: One year in law school in the full-time or part-time program; LARW I and II; Business Associations I or Business Associations (four credit-hour course offered prior to Fall 2013).

### **Litigation Drafting**

This practical course deals with drafting litigation documents. Using a state trial court forum and the Texas Rules of Civil Procedure, students draft litigation documents that they can expect to prepare in typical litigation cases. Topics covered include conducting client interviews; drafting petitions, answers, and affirmative defenses; propounding written discovery; objecting to and answering written discovery; preparing and arguing motions; and preparing other litigation-related documents. Students will draft a major persuasive motion and will have several smaller drafting and research assignments throughout the course. Prerequisite: One year of law school in the full-time or part-time program, including LARW I & II and Civil Procedure.

### **Real Estate Drafting**

This practice skills course covers drafting commonly used real estate documents. The focus is on Texas practice, and both personal and commercial transactions are covered. Students will draft several substantive documents during the course. Prerequisite: One year of law school in the full-time or part-time program, including LARW I & II and Property

## **SIMULATIONS – WINTER & SUMMER WORKSHOPS**

### **Civil Evidence Workshop**

This skills practicum focuses on practical subjects related to courtroom evidence. The workshop provides instruction, demonstration, and practice in offering common forms of evidence in civil and criminal trials; common objections and responses to courtroom evidence; depositions, statements, and sworn testimony; and preserving the record and offers of proof. This workshop is open to all students and is recommended for all law students interested in law school mock trial competition or careers in trial advocacy. Prerequisites: (1) One year of law school in the full-time or part-time program; (2) Evidence (may be taken concurrently).

### **Civil Motion Workshop**

This class will focus not on civil trials (which are becoming increasingly rare) but on civil motion practice (which is still a very active component of a trial lawyer's work). Students will be provided with written motions and responses that were filed in actual non-active lawsuits. Students will then prepare to argue the motions and responses. At each session, students will be called on to argue either the response or the motion, within appropriate time constraints, in front of a sitting district court judge in Tarrant County. Afterwards each student will receive critique and feedback from fellow students and the professor. Students will be exposed, and must quickly understand, the law related to each motion. However, the focus of this course will be on oral argument skills and developing a level of comfort arguing motions in an actual classroom. Prerequisites: (1) One year of law school in the fulltime or part-time program; (2) Civil Procedure (may be taken concurrently).

### **Depositions Skills Workshop**

This course gives students the opportunity to learn the art of deposition practice and the strategy behind taking depositions. Students will learn and practice fundamental depositions skills; rules pertaining to depositions in federal and state court; how to properly notice a deposition; and how to depose parties, fact witnesses, and experts. The course will conclude with a final deposition performance class in which each student will be provided the opportunity to take and defend a deposition. Enrollment limited to 16. Prerequisite: One year of law school in the fulltime or part-time program, including Civil Procedure

**Labor Negotiations Workshop**

Students will learn the process of contract negotiations in the labor setting in both the private and public sectors. Topics covered will include who has the right to bargain contracts, what can be bargained, bargaining in good faith and legal remedies. Bargaining techniques including data-driven proposals will be discussed. Students will be involved in labor bargaining simulations. Prerequisites: One year of law school in the full-time or part-time program, including Contracts.

**Pretrial Motion Workshop**

Students will learn about and draft three pre-trial motions: Motion to Transfer Venue; Motion to Compel Discovery; and Special Appearance 120a. Students will then argue the motions in class. Prerequisite: One year of law school in the full-time or part-time program, including Civil Procedure (may be taken concurrently).

**Scientific Criminal Evidence Workshop**

Students in this class will learn the theory and practice of using scientific evidence in criminal trials. Specific topics to be covered may include the value and use of DNA, mental health, polygraph, and autopsy evidence. Particular attention will be paid to understanding, preparing for, and conducting "Daubert hearings," which involve challenges to the admissibility of scientific expert testimony. The format of the class will include lecture by the professor and guest speakers, as well as simulations involving students who will be required to assume the roles of both prosecutors and defense lawyers. Prerequisites: (1) One year of law school in the full-time or part-time program; (2) Evidence (may be taken concurrently).