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Making Their Case: Research and Writing Students End an Auspicious Year with Oral Arguments

UB Law Forum

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BRIDGES CONTINUED

tractual rights under antitrust and unfair competition law and treaties such as GATT and NAFTA.

- **Taking and Defending Depositions** - focuses on the rules of conduct, preparing witnesses, making objections, marking exhibits, interacting with the court reporter and questioning witnesses.

- **Forensic Evidence** - introduces students to common forensic tools used in criminal and civil cases, including DNA analysis, fiber evidence, laser and luma light and breathalyzers, and the use of expert witnesses in trials.

- **It's Just a Hearing. Take the File and Run With It** - students study different techniques of representing clients before labor/employment/discrimination administrative agencies.

- **Making Rain and Developing a Law Practice in the '90's** - students learn how to create a personal marketing plan, how to obtain, serve and retain clients and how to become a key person in a private firm.

- **Mediation: An Alternative to Litigation** - emphasizes its use in family and matrimonial law, explores other methods of alternative dispute resolution and involves considerable role playing.

- **Practical Discovery** - examines problems encountered in making and responding to discovery requests; includes the use of motions to compel and protective orders.

Affordable Housing Research Seminar, Criminal Motions, Drafting Municipal Legislation, NAFTA: The Dream and the Deal, Federal Pretrial Criminal Practice, and Computers, Law and Technology are also being taught.

Students are excited about the emphasis on the practical.

"I took Forensic Evidence and Criminal Motions, both of which will be of great value to me in future trial work," says Adam M. Ruben, a third-year law student.

"I received a lot of concrete, practical information in an area in which I want to eventually practice."

Given the positive response from faculty and students, the Law School hopes to expand the numbers and subjects of courses which will be offered in the future. ■

MAKING THEIR CASE

Research and Writing students end an auspicious year with oral arguments

As the curtain went down on the 1995 academic year, UB Law School alumni/ae played major roles in the mini-drama that was the culmination of the school's new Research and Writing Program.

First-year law students who were completing the inaugural year of the program — designed to develop sophisticated analytical, writing and presentation skills — demonstrated what they learned in a moot-court-style series of arguments. About 50 UB Law alumni/ae and faculty acted as judges and provided feedback.

The alumni/ae participation reflected intense interest in the Research and Writing Program, a key element of the Law School's New Curriculum.

"So much of what we do as lawyers involves research and communication," says Dan D. Kohane '79, a member of the Western New York law firm of Hurwitz & Fine who served as a judge for the arguments. "You really need the ability to find an answer to a problem and effectively communicate it, whether in writing or orally. Those skills are of critical importance to a new lawyer as well as to a more senior lawyer. ... I think this program is a terrific addition to the curriculum."

Professor Lucinda M. Finley, director of the program, noted that although only a small proportion of attorneys will ever have to stand up in a courtroom and deliver an argument, it's important for all lawyers to have that ability.

"Even if someone never winds up being in court," she says, "they may have to present research verbally to a client or to another lawyer. We are teaching students legal reasoning and analytic skills and the ability to think on their feet — to communicate orally in addition to in writing, and to respond on the spot to a probing question."

The cases argued in the end-of-the-year event, Finley says, were "all drawn from and were very closely based on real cases" before the New York State and federal appellate courts. They were:

- A religious freedom/First Amendment case stemming from a U.S. Supreme Court decision that said school districts may not sponsor prayer, but left open the question of what happens when students demand a prayer, for example at a graduation ceremony.

- An argument over whether an injunction that keeps protesters a certain distance away from abortion clinics violates

their First Amendment right to free speech.

- A criminal case involving a Fourth Amendment search-and-seizure issue.

- A copyright case in which an artist claimed that a conservative political group had misappropriated one of his paintings to muster opposition to government arts funding.

The students worked in teams of two or three, and argued their sides as appellant or respondent before panels of three judges. Each side was given 20 minutes to make its presentation; the judges asked questions, and following the arguments there was a period of informal evaluation from the "bench."

"I thought the oral arguments and presentations were outstanding," says Ginger D. Schroder-Amico '90, an associate at Jaeckle, Fleischmann & Mugel who served as one of the volunteer judges. "Either the quality of the students has changed significantly since I was in school, or the program has really done a lot to develop the students' skills." She believes some presentations came close to the level of the Desmond and Mugel moot court competitions, which are argued by second- and third-year students.

"These young men and women were terrifically prepared," Kohane says. "I only wish that when I was in my first year of law school, I could have had the opportunities they have to research, write, and present."

According to Professor Finley, such an ambitious effort would have been impossible without substantial volunteer help. "I was very gratified by the enthusiastic response I received from the members of the legal and judicial community whom I asked to participate," she said. "The judges were very well prepared. They had read the materials we had prepared for them, and they asked probing questions and gave insightful feedback to the students.

"The oral arguments wouldn't have been a success without them." ●

Our thanks to the following judges:

Professor Lee A. Albert	Laraine M. Kelley '79
Holly Baum '88	Dan D. Kohane '79
Madonna J. Beale '94	Diane M. LaVallee '83
Professor Robert S. Berger	Marianne Mariano '94
Carolyn L. Boone '93	Jerry McGrier, Sr. '80
Dean Barry B. Boyer	Kathleen M. Mehlretter '78
Susan C. Branagan '95	Professor Michael J. Meurer
Lauren E. Breen '89	Jeff Meyers
Bonnie Butler '94	Honorable Joseph D. Mintz '56
Jed L. Carrol '89	Honorable Margaret Murphy
Carol A. Condon '82	Glenn Murray
Christine A. Constantine '90	Professor Wade J. Newhouse
Honorable M. Dolores Denman '65	Judith G. Olin '85
Honorable Vincent E. Doyle, Jr. '56	Professor R. Nils Olsen Jr.
Professor Marcus Dubber	Honorable William J. Ostrowski
Ann E. Evanko '79	Frank S. Ravitch
Christine H. Farley '94	Barbara L. Schifeling '84
Professor Lucinda M. Finley	William C. Schoellkopf '87
Richard B. Friedfertig	Ginger D. Schroder-Amico '90
Kristin J. Graham '94	Gerald Seipp
Honorable Samuel L. Green '67	Linda G. Sennholtz '93
Nan Lipsitz Haynes '92	Professor Nancy Staudt
Mark G. Hirschorn '71	Keelan J. Stern '94
Sarah E. Herbert	Paul J. Suozzi '79
Honorable Barbara Howe '80	Professor Anthony H. Szczygiel
Jonathan G. Johnsen '91	Janice Innus Thompson
Nicole Johnson	Suzanne E. Tomkins '92
	William Trezevant '93
	Oren L. Zeve '92

Embracing Change

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