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The Skills to Succeed: New Legal Skills Program Will Produce Practice-Ready Attorneys

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The skills to succeed

*New legal skills program
will produce practice-ready attorneys*



“The idea is to integrate and coordinate these programs so we have better control over them and they offer a better learning experience for the students.”

— Vice Dean for
Legal Skills
Charles Patrick Ewing

The Law School is reinventing its programs designed to teach practical lawyering skills, with the aim of turning out new graduates who are practice-ready on Day One to file a brief, cross-examine a witness or make a special pleading.

It's all part of the Legal Skills Program, a framework that encompasses courses and experiences in legal research and writing, litigation and non-litigation skills such as mediation, and professional development.

Said Dean Makau W. Mutua: “The newly created Legal Skills Program will bring pedagogical rationale and curricula coherence to a vast and vital area of legal education. These offerings complement black-letter law and

courses that focus on the jurisprudence and theory of law. Put together, these two sides are critical to the education of a well-trained, analytically sound and thoughtful lawyer.

“I am very pleased that SUNY Distinguished Service Professor Charles Patrick Ewing has agreed to serve as Vice Dean for Legal Skills. He is widely respected by colleagues, peers around the country, judges and the bar. He will bring his enormous talents to bear on the organizational and instructional excellence that we expect of the Legal Skills Program.”

“The idea,” said Ewing, “is to integrate and coordinate these programs so we have better control over them and they offer a better learning experience for the students. Right now,

there is a demand for lawyers coming out of law schools who are able to do things – do research, write, have some litigation skills, some appellate advocacy skills – right out of the gate. We've been doing all of this, it just hasn't been pulled together, coordinated and integrated.”

Some highlights of the program:

In *Legal Research and Writing*, first-year students learn the basics of these vital skills, and advanced courses are offered for upper-division students. Seven research and writing instructors – some new to the Law School, some with continuing ties – will teach in this area. Ewing said the school is also contemplating a new curriculum for these courses, with expectations that it would begin in fall 2010. “I am con-



Chris O'Brien of
O'Brien Boyd

Erie County Court
Judge Thomas P.
"Tim" Franczyk

vinced that legal research and writing skills are critical to our students' success in the job market and as lawyers once they are hired," he said. "The program that I inherited is already strong and solid, but my goal is to make it one of the best in the country."

Litigation Skills includes basic courses in trial technique – teaching such basics as how to make an opening statement, examine and cross-examine a witness, and make a closing statement – and more advanced trial advocacy courses, most of which are taught by judges and legal practitioners. This area also covers trial and other non-appellate moot court competitions.

Ewing is hoping to integrate the trial technique and trial advocacy offerings into a single program, and to build stronger ties between the Law School and the adjunct faculty teaching in this area. "To me, this is a hugely important part of our program," he said. "A large percentage of our students go on to become trial lawyers, and I would like to see more of a continuum of education." For example, he said, while continuing to teach trial techniques in small class sections, it might be profitable to bring those sections together for demonstrations by experts in various aspects of the field.

To co-direct the school's trial offerings, two well-known figures in the Buffalo law community have been enlisted: Erie County Court Judge Thomas P. "Tim" Franczyk, a longtime champion of the Law School's mock trial program, and Chris O'Brien of O'Brien Boyd, an experienced teacher of trial advocacy.

"The most immediate changes in this program will be some new faces among the judges and attorneys who teach trial techniques to our students, new, improved and more challenging case problems for the students to grapple with, and a set of demonstrations for our students by master trial lawyers that will supplement what they are learning in class," Ewing said.

Appellate Advocacy Skills. This area comprises appellate-style moot courts and other writing-based competitions, as well as courses designed to teach the basics of brief-writing and appellate oral advocacy. Ewing said the school will carefully evaluate the dozens of moot court competitions available nationwide, as well as several sponsored by the Law School, with an eye toward maximizing student participation while prudently investing the time of faculty who advise UB Law's teams. Professor George Kannar will be the director of Moot Courts.

The *Non-Litigation Skills* component of the program includes courses in negotiation, alternative dispute resolution, mediation and counseling. Students also will have the opportunity to participate as an editor for UB Law's wide array of scholarly journals. Associate professor Rick Su will serve as director of journals. "It's important for students to understand that it's not all about litigation," Ewing said. "And there is not enough concern with the counseling aspect of practice, which is what most lawyers should really do."

The final piece of the Legal Skills Program, *Professional Development*, covers a wide range of opportunities for students to grow into the profession. It includes the work of Director of Academic Support Barbara A. Sherk, other programs to support students and new graduates preparing for the bar exam, the vast array of externship and clerkship placements available to students, and the important area of legal ethics.

"A legal skills program is crucial to the success of any law school," Ewing said. "The business of law is requiring more skills from young lawyers, and the energy that we are putting into our program will help them to leave here ready to go to work right from the start."

National search yields new legal research and writing instructors

Johanna Oreskovic, who will coordinate the new program, earned her B.A., M.A. in History, Ed.M. and



J.D. from UB, graduating from the Law School in 1997. At UB, she served as Book Review Editor of the *Buffalo Law Review*. She has been associated

with the Buffalo law firms of Hodgson Russ and Rupp, Baase, Pfalzgraf, Cunningham, and Coppola. Her practice concentrated on commercial and employment litigation. She has taught at the Law School since 1998. Her courses have included Legal Research and Writing, Adoption Law: Domestic and International, and the LL.M. Colloquium. She also administered the Law School's LL.M. programs from 2000-2008. Her publications include articles on labor law and adoption law. Prior to entering the legal profession, she taught History and English and served as an administrator at several independent secondary schools, including The Buffalo Seminary, The American School in Switzerland, and John Burroughs School in St. Louis.

Christine Pedigo Bartholomew received her B.A. from San Francisco State University in 1997 and her J.D. from University at California, Davis, in 2000. Upon graduation,



Professor Bartholomew worked in the San Francisco Bay Area as an attorney, practicing in the areas of antitrust and consumer protection. In 2004, she helped open a branch office of a Washington, D.C.-based class action boutique.

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