

Advanced Advocacy: Legislative Policy Initial Self-Assessment

Name _____

Date _____

Describe the skills and values you have already developed and identify those you hope to develop or improve on in this course.

Fundamental Lawyering Skills

Skill # 1: Problem-Solving

To develop and evaluate strategies for solving a problem or accomplishing an objective, a lawyer must be able to identify and diagnose the problem; generate alternative solutions and strategies; develop a plan of action; implement the plan; and keep the planning process open to new information and new ideas.

Skill # 2: Knowledge of Legal Theories and Rules

To analyze and apply legal rules and principles, a lawyer must be able to identify legal issues; formulate & evaluate relevant legal theories & arguments; synthesize and criticize legal rules and arguments.

Skill # 3:

In order to identify legal issues and to research them thoroughly and efficiently, a lawyer must: understand the nature of legal rules and institutions; know about and be able to use the fundamental tools of legal research; understand the process of devising and implementing a coherent and effective research plan.

Skill # 4:

In order to plan, direct, and (where applicable) participate in factual investigation, a lawyer should be able to: determine when a factual investigation is needed; plan a factual investigation; implement an investigative strategy; memorialize and organize information in an accessible form; decide whether and when to conclude the fact-gathering process; and evaluate the information that has been gathered.



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Skill # 5:

In order to communicate effectively, whether orally or in writing, a lawyer should be able to assess the perspective of the recipient of the communication; and use effective methods of communication for the audience.

Skill # 6:

In order to counsel clients about decisions or courses of action, a lawyer should be able to establish a counseling relationship that respects the nature and bounds of a lawyer's role; gather information relevant to the decision to be made; analyze the decision to be made; counsel the client about the decision to be made; and ascertain and implement the client's decision.

Skill # 7:

In order to negotiate in either a dispute-resolution or transactional context, a lawyer should know how to prepare for negotiation; conduct a negotiation session; and counsel the client about the terms obtained from the other side in the negotiation and implementing the client's decision.

Skill # 8:

In order to employ-or to advise a client about-the options of litigation and alternative dispute resolution, a lawyer should understand the potential functions and consequences of these processes and should have a working knowledge of the fundamentals of litigation at the trial-court and appellate level, advocacy in administrative and executive forums; and proceedings in other dispute-resolution forums.

Skill # 9:

In order to practice effectively, a lawyer should be familiar with the skills and concepts required for efficient management, including formulating goals and principles for effective practice management; developing systems and procedures to ensure that time, effort, and resources are allocated efficiently; developing systems and procedures to ensure that work is performed and completed at the appropriate time; developing systems and procedures for effectively working with other people; and developing systems and procedures for efficiently administering a law office.



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Skill # 10:

In order to represent a client consistently with applicable ethical standards, a lawyer should be familiar with the nature and sources of ethical standards; the means by which ethical standards are enforced; and the processes for recognizing and resolving ethical dilemmas.

Fundamental Values of the Profession

Value # 1:

As a member of a profession dedicated to the service of clients, a lawyer should be committed to attaining a level of competence in one's own field of practice; maintaining a level of competence in one's own field of practice; and representing clients in a competent manner.

Value # 2:

As a member of a profession that bears special responsibilities for the quality of justice, a lawyer should be committed to promoting justice, fairness, and morality in one's own daily practice; contributing to the profession's fulfillment of its responsibility to ensure that adequate legal services are provided to those who cannot afford to pay for them; and contributing to the profession's fulfillment of its responsibility to enhance the capacity of law and legal institutions to do justice.

Value # 3:

As a member of a self-governing profession, a lawyer should be committed to participating in activities designed to improve the profession; assisting in the training and preparation of new lawyers; and striving to rid the profession of bias based on race, religion, ethnic origin, gender, sexual orientation, or disability, and to rectify the effects of these biases.

Value # 4:

As a member of a learned profession, a lawyer should be committed to seeking out and taking advantage of opportunities to increase his or her knowledge and improve his or her skills; and selecting and maintaining employment that will allow the lawyer to develop as a professional and to pursue his or her professional and personal goals.



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