

City Bar Fund Junior High School Law-Related Education Project

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Talk On The Law and Lawyers

A. Introductory Analogies

1. What is a "foul" in basketball? Why are fouls called?
2. Why do we have traffic lights?

B. What Are Laws?

1. Rules for behavior, conducting business, owning property, treating others fairly and properly

C. Why Do We Have Laws?

1. Need for law in society - affects nearly all aspects of our lives
2. Provide instruction, certainty, safety of self and property
3. Resolution of disputes without violence
4. Traffic light analogy

D. Law and Lawyers in Government

1. Three parts - plus many levels within each part
2. Legislative (Congress) - Make the laws
 - a. Statutes, codes, ordinances
 - b. Lobbying
3. Executive (President and Cabinet) - Enforce the laws
 - a. Agencies (IRS, Treasury)
 - b. District attorneys/prosecutors
4. Judicial (Courts) - Interpret the laws
 - a. Trial courts
 - 1) Civil or criminal
 - 2) Judge or jury (peers)
 - 3) Evidence
 - 4) Verdict

b. Appellate Courts

- 1) What is an appeal?

c. Supreme Courts

E. Becoming a Lawyer

1. College
2. Applying to Law School
3. Bar Exam
4. Interviewing for and getting a position

F. Benefits of Legal Training

1. Learn the laws
2. Learn to think like a Lawyer
3. Learn to speak and write with precision - choose words carefully

G. Lawyer Jobs

1. Private practice/law firms
2. Corporations/in-house counsel
3. Government (see above)
4. Legal teaching
5. Many other positions for which having a legal background/training is useful
 - a. Major league baseball manager (Tony La Russa)
 - b. Sportscaster (Howard Cosell)
 - c. Politics: President, Mayor, Senator

H. Areas of Law

1. Litigation - People suing and being sued
 - a. What I do: Products liability defense (role play later)
 - 1) Ever hear of a case where someone sued a company because they claimed they were injured by a product?
 - b. What I do: Media law defense

- 1) Libel
- 2) Privacy
- c. Parts of a case
 - 1) Complaint
 - 2) Answer
 - 3) Discovery
 - A) Interrogatories
 - B) Document Requests
 - C) Depositions
 - 4) Motions
 - 5) Trial
 - 6) Appeal

2. Corporate - Companies buying or selling other companies or parts of them and making other kinds of deals
 - a. Example: Development of energy projects in developing countries
3. Trusts and Estates - Helping people provide for how their loved ones are to be cared for and how their property is to be distributed later in life and after their death
4. Tax - Minimizing how much the government takes from what you earn or give to another
5. Real Estate
6. Bankruptcy
7. Criminal law defense
 - a. Search and seizure
8. Landlord/tenant

I. Is Law for You?

1. Don't think it's like it's portrayed on TV shows
2. Positives
 - a. You can make a lot of money

- b. Has a certain amount of prestige
- c. Allows you to have an impact in some areas
- d. Work can be very interesting
- e. Allows you to wear vests and say words like "whereas" and "heretofore"

3. Negatives

- a. Requires many years of expensive schooling and study
- b. Very competitive at all stages
- c. Can be boring, tedious, repetitive at times, particularly early in your career
- d. May often require sacrifices in terms of having to work long hours and weekends, and travel frequently to not the most exciting places
- e. May prompt you to wear vests and say words like "whereas" and "heretofore"

J. Role Play Exercise: Defense Lawyer for Yummy Chocolate Milk

1. Questions

- a. Causation: How do you know A (drinking chocolate milk) causes B (poor softball hitting)?
 - 1) What do scientists/doctors say?
 - 2) Has anyone else experienced this problem?
 - 3) How come it didn't happen in past when he was drinking Yummy Chocolate Milk?
- b. Product identification: How know it's Yummy's milk?
 - 1) Did Buddy drink that brand at relevant time?
 - 2) Did Buddy drink other brands at relevant time?
- c. Alternative causation: What else could cause it?
 - 1) Need glasses?
 - 2) Getting fat and runs to first slower? (Due to drinking chocolate milk?)
 - 3) New pitcher moved into town?