

Curriculum Planning: CIVIL ADVOCACY (OR LITIGATION) GUIDANCE

March 2016

1. *What does a civil advocacy practice entail? What might lead a law student to pursue a civil advocacy practice?*

Civil advocates or litigators represent parties in disputes in courts, administrative proceedings, and forms of alternative dispute resolution such as arbitration and mediation. A civil advocacy practice can take a variety of forms. Some litigators work in medium or large firms doing business or tort litigation; some work in solo or small firm settings; and some work in government agencies.

If a law student is more excited about the prospect of making arguments than the prospect of “doing deals,” he or she may be well suited for a litigation practice. Note, however, that civil litigation involves more than arguing in front of a jury. Time spent in court varies considerably depending on practice area, and most civil cases settle before trial. You are likely to spend much of your time engaged in fact investigation, motion practice, written discovery, taking and defending depositions and negotiation. Many litigators find such activities as exciting and intellectually challenging as appearing in a courtroom. Litigation clients typically face serious problems they cannot handle by themselves, and solving those problems is often the litigator’s greatest satisfaction. If you like to investigate facts, research law, and write persuasively, a civil advocacy practice may be the right fit for you.

2. *What are the core, advanced, and related/supportive courses in the civil advocacy area?*

The core courses (besides the required courses) are **Administrative Law**, **Georgia Practice and Procedure** and at least one course in **Alternative Dispute Resolution**. Especially if the student is interested in practicing in a solo or small firm setting, the student should consider taking **Fundamentals of Law Practice** and **Accounting for Lawyers**.

Advanced courses for students interested in civil advocacy include **Advanced Evidence** (noted as highly useful by many of our graduates who litigate), **Federal Courts**, **Complex Litigation**, **Conflict of Laws**, **Remedies**, any clinic and any course that gives opportunities for simulated client interviewing, discovery practice, negotiation, and oral advocacy. On the latter point, two new courses to consider are **Civil Pretrial Litigation** (to be taught fall 2016) and **Business Arbitration Practicum** (taught for the first time in spring 2016). **Moot Court** and, especially, **STLA** participation is often helpful for future litigators.

Related/supportive courses include **Interviewing and Counseling**, **Accounting for Lawyers** and writing-intensive courses like **Advanced Legal Writing** and **Lawyering: Practice-Ready Writing**. Students should also consider courses involving doctrinal areas they may encounter in a civil advocacy practice, such as **Family Law**, **Wills and Trusts**, **Immigration**, **Products Liability**, **General Employment Law** and/or **Employment Discrimination**, **Bankruptcy**, **Securities Regulation**, **Intellectual Property**, **Constitutional Tort Litigation** (civil rights law), or **Workers Compensation**.

3. *What skills do students need to succeed in this practice area?*

Written and oral communication skills; client relationship skills, problem solving, working in a team, task and time management, and business acumen; networking/business building skills; the whole range of interpersonal skills and self-reflection.

4. *What clinics or externships relate to or would be helpful to students interested in a civil advocacy practice?*

Any clinic would be helpful, particularly the **Investor Advocacy Clinic** (focus on law practice management, claims evaluation, writing, and all aspects of representation in a plaintiffs’ practice) and the **Landlord-Tenant Mediation Clinic** (builds mediation skills in the context of landlord/tenant law). **Fundamentals of Law Practice**: students are registered for student practice to handle civil domestic violence cases from beginning to end in Superior Court and often conduct in-court evidentiary hearings; students can also choose a civil litigator in private practice for their fieldwork experience.

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Externships

- Any judicial externship, particularly with a trial judge
- ACLU of Georgia
- Centers for Disease Control & Prevention – Office of the General Counsel
- City of Atlanta (Litigation/Employment Practice Group)
- Equal Employment Opportunity Commission – Litigation Unit
- Federal Reserve Bank of Atlanta
- Fulton County Business Court
- Georgia Department of Law (Regulated Industries and Professions Division)
- Senior Citizens Law Project, Atlanta Legal Aid (does some civil litigation)
- Southeastern Legal Foundation, Inc.
- U.S. Attorney, Northern District of Georgia – civil side
- U.S. Department of the Interior – Office of the Regional Solicitor