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| SYLLABUS |
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SELECTED TOPIC: THE BUSINESS OF LAWYERING
Spring Semester 2011

INSTRUCTORS:

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DESCRIPTION OF COURSE AND LEARNING OUTCOMES

The private practice of law is a business, and new lawyers—in both small and large law firms alike—must understand the law firm business model and operations in order to thrive. This course will introduce students to the elements of a successful law practice: choice of business entity, business and financial planning, billing and collection, space, staffing, technology, marketing and client relations. Special attention will be given to the challenge of starting a solo or small firm practice.

By successfully completing this course, a student should:

- Understand the operations of a law firm as a business, particularly the key financial measures of law firm and individual lawyer profitability (hourly production, fee setting and billing, and realization).
- Understand the importance of marketing, and of client service and satisfaction, to a successful law practice.
- Understand the components of a basic business plan for establishing a solo or small law firm.
- Understand the workplace strategies for satisfactory performance as an associate, and advancement to partnership, in a mid-size or large law firm.
- Understand how the practice of law is shaped by changing economic conditions.
- Be better positioned to evaluate whether the private practice of law is a suitable individual career choice for him/her.

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**SCHEDULE, TEXT AND MATERIALS,
 CLASSROOM EXPECTATIONS, JOURNAL EXERCISE,
 FINAL EXAM AND GRADE**

- Classes:** 14 sessions on Mondays 3 p.m. - 4:50 p.m. in LAW 103
 No class on Mar. 7.
- Office Hours:** Dean Lewis: Fridays from 2 p.m. until 4 p.m., or by appointment.
 Ms. Norberg and Ms. Cummins: by appointment.
- Required Texts:** K. William Gibson, et al, *Flying Solo: A Survival Guide for the Solo and Small Firm Lawyer*, 4th ed. (ABA 2005)
- Other Required Texts Available Online:** This is a new course and is very much a “work-in-progress.” We will assign additional required readings, not listed in the initial Syllabus draft, as the course progresses. Students should follow announcements in class and regularly consult the TWEN site for additional required readings.
- Optional Text:** As may be announced in class and posted on the TWEN site.

1. **Syllabus.** Required readings for each class are attached to this Syllabus, which may be subject to revision during our coursework. Revisions and the updated Syllabus will be posted on the TWEN site.

2. **TWEN.** We plan to use the course’s TWEN site extensively as the primary vehicle for communication with students. Students will be required to post weekly journal entries through TWEN. We suggest that students visit the TWEN site regularly, and at a minimum on the Sunday afternoon before class.

3. **Office hours. Dean Lewis:** Please feel free to drop by on Fridays between 2 p.m. and 4 p.m. You may also schedule an appointment with my executive assistant, Susan Curran, by contacting her at 651.523.2968 or by email at scurran02@hamline.edu. Students should always feel free to communicate with the dean via his office e-mail address, or by telephone or voicemail to his office. **Ms. Norberg and Ms. Cummins:** As they are adjunct instructors, they have no offices at the law school. However, students should always feel free to communicate with them via e-mail, telephone or voicemail. Any student who desires to visit personally with either instructor may schedule an appointment with her at a mutually convenient time and location.

4. **Class preparation and participation.** We expect students to prepare for class, to attend class, and to participate in class discussion. We encourage volunteer participation, but

will routinely call on students to provoke discussion in class. Students should notify Dean Lewis *in advance* if they anticipate either missing a class or arriving at class unprepared to participate.

5. Laptop computers and electronic devices. Students may use their laptop computers in class to take notes and access course-related materials. Cell phones and other electronic devices should be turned off during class. Use of computers, cell phones and other electronic devices for purposes unrelated to the course (e.g. reading e-mail, texting, participating in chat rooms, surfing the web, etc.) is prohibited during class. We often “walk the floor” and will monitor compliance with this policy. If *any* student is discovered using a computer, cell phone or other electronic device in violation of this policy, we reserve the right to ban the use of laptop computers by *all* students for the remainder of the semester.

6. Student assessment and final grade.

The final grade will be determined based upon the student’s performance on the following components:

Journal entries (50 percent of grade)

You will be required to complete a weekly journal entry for each of the 14 classes, addressing a topic or question assigned at the beginning of each class. Your journal entries must be submitted via the TWEN site quiz function, identified solely by your midterm examination number to ensure anonymous grading. Each of your journal entries should not exceed 400 words, and must be transmitted no later than 12 noon on the Sunday following the class during which the journal topic or question was assigned. Your journal entries will be reviewed and evaluated at least twice mid-course, and will be reviewed and graded as a whole at the end of the semester.

Final take-home examination (50 percent of grade)

You will complete a self-scheduled, take-home final examination, which you must complete within 72 hours after you receive it from the Registrar. The subject(s) of the examination, and the manner in which you will receive and return it, will be discussed and determined later during the course.

The instructors reserve the right to adjust a grade upward by ½ grade to reward any student who, in our judgment, has contributed significantly to the course through classroom participation. Likewise, we reserve the right to adjust a grade downward by ½ grade to penalize a student’s consistent lack of preparedness or participation, excessive absences, or other conduct detrimental to the class.

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COURSE OUTLINE AND REQUIRED READINGS

Advisory: This is a new course and is very much a “work-in-progress.” We will assign additional required readings, not listed in the initial Syllabus draft, as the course progresses. Students should follow announcements in class and regularly consult the TWEN site for additional required readings.

Week 1 (Jan. 24): Pathways to private law practice

Flying Solo chaps. 1 and 2.

Excerpt from Wilkins, David B. & Mitu G. Gulati, "Reconceiving the Tournament of Lawyers: Tracking, Seeding, and Information Control in the Internal Labor Markets of Elite Law Firms," 84 *Virginia Law Review* 1581, 1604-1627 (1998) ("Part II: The Rules of the Game").

Week 2 (Jan. 31): Business model, budget and finance

Flying Solo chaps. 14, 15 and 16.

Week 3 (Feb. 7): Fee-setting, billing and collection

Week 4 (Feb. 14): Staffing and human resources

Flying Solo chaps. 27, 28 and 29.

Week 5 (Feb. 21): Going solo/small firm: business entity and financial p planning

Flying Solo chap. 3.

Week 6 (Feb. 28): Going solo/small firm: getting to opening day

Flying Solo 23, 24, 25 and 26.

No class on Mar. 7

Week 7 (Mar. 14): Business development and marketing

Flying Solo chaps. 43, 45, 47 and 49.

Week 8 (Mar. 21): Technology: tools for managing information

Week 9 (Mar. 28): Technology: “library” and information resources

Week 10 (Apr. 4): Client relations

Week 11 (Apr. 11): Ethics, risk management, insurance

Flying Solo chaps. 5, 17, 30, 31, 56 and 57.

Week 12 (Apr. 18): Lawyer compensation

Week 13 (Apr. 25): Quality of life

Week 14 (May 2): The future of private law practice