First-Year Week One Simulations

Week One 2019 will take place from Monday, January 7 through Thursday, January 10, 2019. Week One courses are optional, 1-credit courses, graded pass/fail, and count toward the 6 credits of experiential coursework required of students matriculating as first-year students in Fall 2016 or later.

Courses Currently Offered for Week One 2019

Advocacy, Client Counseling and Negotiation Skills in Practice Settings
Professor Sheldon Krantz (CRN: 33691)

Jan. 7-10, 2019 from 1:30 p.m. - 5:30 p.m.

Through role plays set in the context of interaction with clients, fact-finding, negotiation, litigation, and transactional work, this Week one simulation course will teach first-year students how ethics issues arise in practice and how lawyers may run afoul of rules that govern professional responsibility. During the course's four days, students will be involved in one or more of the following matters:

- A court sanctions hearing relating to allegations of abuses in civil discovery;
- A disciplinary hearing considering conflict of interest claims against in-house counsel because of her alleged representation of both a university and its president during a criminal investigation;
- A simulation of interaction with clients and negotiations relating to the sale of a helicopter;
- A simulation of an internal law firm investigation of alleged associate and partner abuses in billing.

In each of these situations, students, working in teams and in various roles will be assigned responsibility for meeting with clients, fact-finding--reviewing documents and interviewing prospective witnesses, researching pertinent ethics rules, engaging in negotiations, and making arguments either in a court or disciplinary hearing setting. Through these role-playing assignments, students will learn how to analyze rules of professional conduct, engage in fact-finding, and serve as advocates in various settings. Upperclass teaching fellows will serve as clients, potential witnesses, and decision-makers in the disciplinary setting.
Congressional Hearing Simulation: Updating the Fair Labor Standards Act for Today’s Economy
Professors Indivar Dutta-Gupta and Laura Tatum (CRN: 33612)

Jan. 7-10, 2019 from 1:30 p.m. - 5:30 p.m.

President Franklin D. Roosevelt called the Fair Labor Standards Act (FLSA) of 1938 “the most far-reaching, far-sighted program for the benefit of workers ever adopted in this or any other country.” The historic FLSA established the minimum wage, created a standard workweek, and outlawed child labor. Almost eighty years later, many argue that the law is too rigid for today’s 21st century workplace and gig economy. Others contend that the law must be strengthened to better protect workers, many of whom face job insecurity; wage theft; or lack of health, retirement, and unemployment benefits. Most agree that the law needs to be updated -- but how?

In this dynamic and realistic Week One simulation, students will prepare for and conduct a Congressional hearing on updating the FLSA. Working in teams, students will gain experience in the key components of preparing for and conducting a hearing including writing, delivering, and responding to opening statements, testimony, and questions. Students will play the roles of witnesses including Department of Labor leadership, business leaders, workers advocates, and others, as well as Democratic and Republican Congressional staff. Members of Congress will be played by outside experts. Upperclass teaching fellows will help guide student preparation for the hearing and may also serve as Members of Congress in the simulation.

Internal Investigation Simulation: Evaluating Corporate Corruption
Professors Erin Carroll, Michael Cedrone, and Susan McMahon

Jan. 7-10, 2019; there are three sections of this course:
   9:00 a.m. - 1:00 p.m. with Professor Cedrone (CRN: 10602)
   1:30 p.m. - 5:30 p.m. with Professor Carroll (CRN: 30495)
   6:00 p.m. - 10:00 p.m. with Professor McMahon (CRN: 22155)

This Week One simulation involves an internal investigation by a French company that is in deal talks with a publicly-traded U.S. corporation. During its investigation, the French company uncovers evidence of bribe-like payments made as part of its operations in Africa. The French company is concerned that these payments may trigger liability under the Foreign Corrupt Practices Act (FCPA), a U.S. statute with a wide extraterritorial reach. Fearing criminal penalties and negative press, which in turn could threaten the viability of the potential deal, the French company has engaged outside counsel to evaluate the potential risks associated with these payments and to consider ways to mitigate those risks. Working as the outside counsel, students will interview key witnesses and assess the risks posed to their clients under the provisions of the FCPA. Students will then present their findings and recommendations to their client's general counsel, played by practicing lawyers from Georgetown Law's alumni network. By participating in this highly dynamic and realistic course, students will not only learn about statutory interpretation and the role of the FCPA in corporate transactions, but they will have the
opportunity to engage in essential lawyering skills, including fact development and analysis, interviewing, counseling, teambuilding, project management, problem solving, and presentation skills.

**Internet Defamation Simulation: Alternative Dispute Resolution in a Transnational Dispute**
Professor Julie L. Ross (CRN: 33517)

*Jan. 7-10, 2019 from 1:30 p.m. - 5:30 p.m.*

This Week One simulation course is designed to introduce you to some of the issues that arise in transnational disputes and the skills employed by lawyers representing clients in the context of an international dispute proceeding. The course uses a single problem involving an article on a California news website alleging that a French plaintiff used his wine export business to launder money for organized crime figures in Russia and Italy. The French plaintiff has alleged that he was defamed by the article, and the parties, which also include a U.S.-based web hosting service, have agreed to resolve the dispute through an internal arbitration proceeding.

Students will be assigned roles and will work in teams, representing one of the three parties to the dispute. They will begin the week by conducting client interviews to ascertain the facts from their client's perspective. After debriefing on the client interview process, students will prepare for a simulated international arbitration hearing in which each student will argue whether French or United States (or some other) law should govern the dispute. Upperclass teaching fellows, in the role of arbitrators for the dispute, will render a decision on the choice of law issue, and students will then prepare for and represent their clients in a mediation session to try to settle the case on the merits. The assigned readings and classroom sessions during the week are designed to prepare students to engage in the simulated client interview, arbitration hearing, and mediation session. The materials and classes will introduce the theory and doctrine governing components of defamation law in several jurisdictions, limitations on liability for Internet Service Providers under U.S. and French law, choice of law theory and methodology, and techniques for preparing for arguments, interviewing clients, and conducting mediation session.

**Legal Innovation -- Designing Human-Centered Solutions to Challenges in Law**
Professor Daniel Yi (CRN: 35339)

*Jan. 7-10, 2019 from 6:00 p.m. - 10:00 p.m.*

This Week One, project-based simulation course is designed for students who want to learn methods and processes to create new and effective solutions to challenges in the legal industry. Working in teams of four, students will re-imagine how we can deliver some aspect of legal services. To do this, we will bring together principles from design thinking, business strategy, and behavioral science. Some examples of legal design challenges that teams may take on:

1. How might we reduce the rate of default in landlord-tenant court?
2. How might lawyers in firms improve the billing process for clients?
3. How might we improve the likelihood that consumers will read, understand, and respond to a product recall notice?
4. How might we help qualifying pro se litigants take advantage of free filing policies in D.C. Superior Court?

Over four fast-paced, intense days, teams will: map out and study the problem, sketch out competing ideas, turn your ideas into testable prototypes, and validate the key elements you will need if your idea is going to work. At the end of Week One, you will pitch your proposed solution to a key influence in the legal industry.

**Questioning Witnesses In and Out of Court**

Professor [Michael F. Williams](mailto:mwilliams@wcl.gwu.edu), [Jonathan Brightbill](mailto:jbrightbill@wcl.gwu.edu), and [Jonathan Rusch](mailto:jrusch@wcl.gwu.edu)

**Jan. 7-10, 2019:** there are two sections of this course:

- 9:00 a.m. - 1:00 p.m. with Professors Michael Williams and Johnathan Brightbill (CRN: 31627)
- 6:00 p.m. - 10:00 p.m. with Jonathan Rusch (CRN: 31393)

This Week One simulation will introduce students to a critical dimension of lawyering: the law, practice, and ethics of questioning witnesses effectively in a non-adversarial and adversarial situations. Through lectures, simulation exercises (i.e., mock depositions, grand jury proceedings, and trials), and oral and written feedback, students gain exposure to the forensic techniques needed to effectively question witness in both informal and formal settings, a skill set whose value in the practice of law is not limited to litigation. This course is an excellent introduction to the type of materials covered in upperlevel elective courses such as Trial Practice and Civil Litigation Practice. The course does not require students to have taken Evidence, but will introduce students to selected key evidentiary issues that they need to understand in order to construct lines of questions and individual questions to elicit responsive answers (or to object successfully to opposing counsel’s questions). For class each evening, students will have limited assigned readings before class (which may include fact patterns and mock documents for the next day’s exercises), and handle questions in mini-problems involving witness questioning in both civil and criminal practice. The scenarios are expected to include situations such as: (1) informal interviews of corporate employees and other individuals by outside counsel conducting internal investigations of alleged wrongdoing, such as consumer fraud, economic sanctions violations, foreign bribery, organized crime, and SEC disclosure violations; (2) informal and formal interviews of government employees, government-contractor officers and employees, and other individuals by counsel for a Congressional committee investigating alleged fraud against the government; (3) formal non-adversarial questioning of witnesses in civil and criminal depositions, and in federal grand jury proceedings; and (4) formal adversarial questioning of witnesses in civil and criminal trials. Students can expect to be conducting witness questioning each evening of class and to enhance their and their classmates’ learning through a highly participatory and supportive environment.
**Restorative Justice**  
Professor Thalia Gonzalez  

Jan. 7-10, 2019 from 9:00 a.m. - 1:00 p.m.

This Week One, project-based simulation course is designed to introduce students to restorative justice theory and practice. Across the country restorative justice has emerged as an alternative approach to addressing harm in the juvenile and criminal justice systems, in schools, and in community settings. This has increasingly placed lawyers (and judges) in the role of decision makers regarding the use of restorative justice at different stages of the juvenile and criminal justice process (i.e., pre-trial diversion, deferred adjudication, sentencing, and re-entry); architects of restorative justice community courts; policymakers implementing and integrating restorative responses into legislation; and practitioners of restorative justice in a variety of settings.

Restorative justice is a distinct form of conflict resolution that aims to redirect society’s retributive response to harm. For example, crime, in the context of restorative justice, is not considered just an offense against the state but rather is viewed as a wrong against another person and indicative of a broken relationship between the offender, victim, and community. Accordingly, restorative justice practice seeks to elevate the role of victims and community members, hold offenders directly accountable for their harm(s), and restore, to the extent possible, the emotional and material losses of victims through dialogue and problem solving.

The course aims to improve students’ understanding of restorative justice and their effectiveness as future lawyers. The pedagogy of this course is grounded in an understanding that students must perform complex skills in order to gain expertise. The design of the course is primarily experiential and will expose students to skills associated with interviewing, fact investigation, conflict resolution, problem solving, facilitation, professional collaboration, and self-reflection. To introduce these skills students will engage in (actual and simulated) restorative justice practices (i.e., circles, conferences and/or dialogues) as well as view and analyze case study videos of restorative practices.

**Social Intelligence in the Practice of Law: Dealing Effectively with Clients, Colleagues, and Opposing Counsel**  
Professor Jane Juliano and Amy Wind  

Jan. 7-10, 2019 from 9:00 a.m. - 1:00 p.m.

This Week One simulation will introduce students to the essential concepts and competencies of social intelligence implicated in all forms of a law practice, including law firms, government agencies, corporations, non-profits and a solo practice. Students will learn about emotional intelligence and research that illustrates how basic brain function and other factors, such as strong emotion, influence how a person makes decisions. Using a combination of lecture, discussion, videos, skills exercises and simulations of common legal practice scenarios, this course will emphasize concrete, practical tools to increase students’ effectiveness in managing themselves and their interactions with others. The course will equip students with an improved ability to effectively communicate with others and make them feel heard; present information in the most persuasive light; recognize and address their own internal biases; and deal with highly emotional or extremely difficult individuals. This course also will present positive strategies for
dealing with common interpersonal relationships in the legal workplace: lawyer-client, lawyer-opposing counsel, and lawyer-co-counsel. Students completing this course will have developed a solid grasp on how to address the wide variety of interpersonal dynamics that commonly arise in the legal arena.

**World Health Assembly Simulation: Negotiation Regarding Climate Change Impacts on Health**

Professors Vicki Arroyo, Oscar Cabrera, Rebecca Reingold, and Sara Hovertor

**Jan. 7-10, 2019 from 1:30 p.m. - 5:30 p.m.**

This Week One simulation will introduce students to the science and impacts of climate change, including effects on health such as heat stress, vector-borne disease, and food security. It will provide students an opportunity to develop positions, advocate, conduct a simulated negotiation, and receive feedback to improve skills. The negotiations will take place as part of the World Health Organization's World Health Assembly. Students will represent countries and important civil society institutions in negotiating and crafting an international agreement pertaining to climate change and global health. They will have the opportunity to conduct research for their assigned country or organization, interview experts, develop strategy, negotiate, receive and incorporate feedback, and draft resolutions, treaties, or other legislative language. Our approach will allow students to go through not merely an academic negotiation exercise but to develop language that might be useful in the real world context of the World health Assembly.