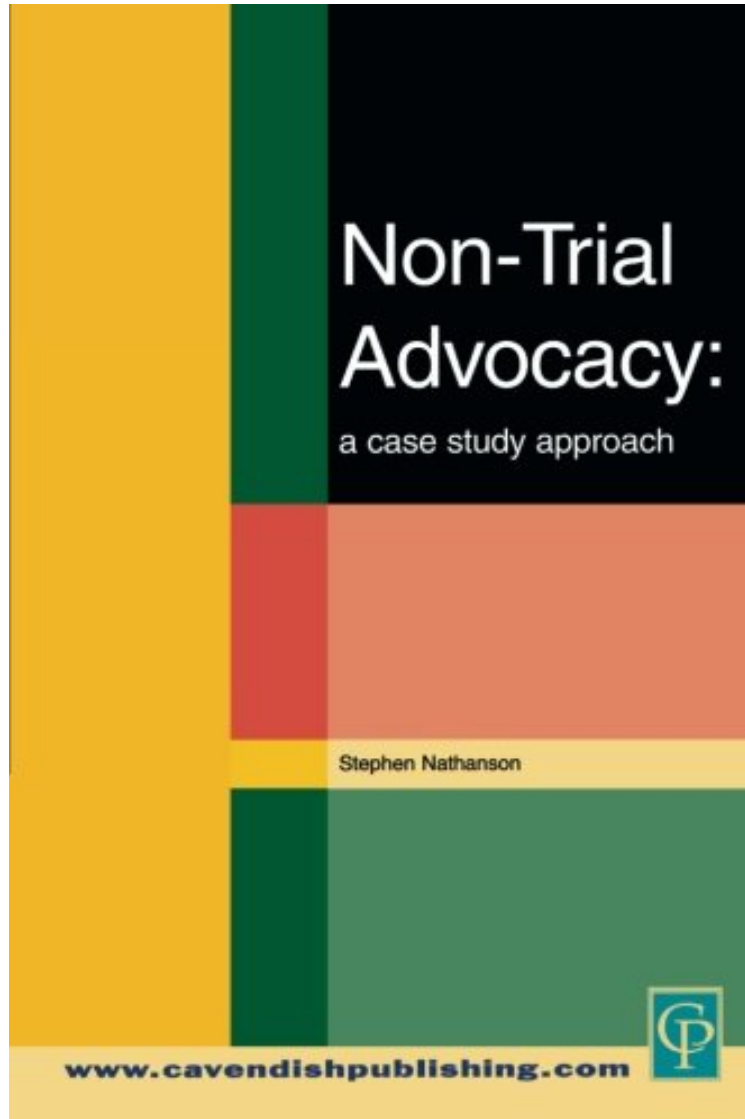


(Download) Non-trial Advocacy: A Case Study Approach

Non-trial Advocacy: A Case Study Approach

Stephen Nathanson

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Stephen Nathanson : Non-trial Advocacy: A Case Study Approach before purchasing it in order to gage whether or not it would be worth my time, and all praised Non-trial Advocacy: A Case Study Approach:

Lawyers use non-trial advocacy skills in court for pre- and post-trial submissions. They are easier to learn than trial advocacy skills, and are much more relevant to the work of most new lawyers. This book examines all key aspects of criminal and civil non-trial advocacy, including bail applications, pleas in mitigation and interim applications made

during the course of civil actions. Readers will learn the strategies and techniques of non-trial advocacy through seven realistic case studies: the lawyers involved discuss their strategies and deliver their arguments; the judge makes a decision; and the strengths and weaknesses of the arguments are then analyzed. With this innovative, case study approach to teaching advocacy skills, *Non-Trial Advocacy* provides an insight into how lawyers think and how they translate their strategies into courtroom action. The book concludes with a discussion of ethical conflicts involved in the practice of advocacy and how these affect the quality of lawyers' work in this field.

'The purpose of this companion is to introduce vocational law students, trainees and junior practitioners to criminal and pre- and post-trial advocacy techniques in a problem-based form. All the fundamental aspects of both criminal and civil non-trial advocacy are examined, including bail applications, pleas in mitigation and interim applications made during the course of civil actions. The case studies presented in this book take place in a fictional country called Metroland, a developed country with its own commonwealth legal system. This directs the book at an international audience, leaving the emphasis on advocacy techniques rather than national legal rules. Each chapter begins with an explanation of the relevant legal rules. The facts of the case studies are then introduced and the court documents set out, before the lawyer's strategies are defined. The oral submissions then appear in script form, followed by suggested solutions and discussions of why those solutions were devised. The case studies method of teaching illustrates how lawyers think and develop tactical approaches, and how they translate these strategies into courtroom activity. Learning arises through looking at problems and the way lawyers deal with them. The provision of problems as well as solutions enables the reader to learn by using the solutions as models to develop their advocacy skills in practice.' *The Trainee Magazine*, autumn 2004

About the Author Stephen Nathanson, B Comm, LLB, teaches advocacy at the University of Hong Kong. He has had a wide range of experience as a Barrister in Canada, Solicitor in Hong Kong and legal skills teacher.