

Skills & Values

The First Amendment

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Skills & Values

The First Amendment

THIRD EDITION

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Preface

This book allows you to experience the connection between theory, doctrine, and practice in First Amendment law. The exercises provide an opportunity for studying First Amendment concepts from the perspective of a practicing attorney who must not only know the law, but also employ lawyering skills and values—such as legal strategy, factual development, advocacy, counseling, drafting, problem solving, and ethical principles—in zealously representing a client.

Each chapter addresses a specific topic covered in most First Amendment law school courses. The chapters begin with an introduction that helps bridge the gap between the actual practice of law and the doctrine and theory you studied in class. You will then have an opportunity to engage in active, “hands on” learning by working through a stand-alone exercise that simulates a real-life legal dilemma. The exercises are as authentic as possible, incorporating materials such as legal pleadings, motions, correspondence, judicial opinions, statutes, discovery materials, and deposition excerpts. Each exercise explains your role, lists the tasks you are required to perform, details the practice skills needed, and contains pertinent statutes or regulations. Some exercises also include practice tips that highlight important issues or litigation strategies a competent First Amendment lawyer would want to consider.

The book can be used in a number of different ways. Your professor might ask you to complete the tasks in each exercise and produce the assigned written documents for a grade or constructive feedback. Depending on the size and structure of the class, the book might alternatively be used for in-class exercises that you are instructed to complete individually or as part of a group. You can also use the book on your own to reinforce substantive lessons from class and hone important practice skills.

Regardless of how you use the book, we hope that you find it enjoyable and useful to your development of lawyering skills and values.

Charles W. “Rocky” Rhodes · Houston, Texas
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