

Concept Underlying Expert Practice

The application of dynamic factual patterns to a body of law.

The EXPERT knows the body of law intimately well.

The EXPERT brings experiential knowledge and substantive expertise to the analysis.



Expert Legal Function

One Definition of An Expert Practice

A practice that focuses consistently on the application of legal rules to factual situations outside of the context of conducting a transaction or resolving a dispute through litigation, most commonly occurring in a statutory or regulatory environment.

Animal Rights
Antitrust
Bankruptcy
Campaign Finance/Election
ERISA
Labor and Employment
Immigration
Patent
Privacy
Tax
Trademark
Securities ('40 Act)
Zoning and Land Use

Another Definition of Expert Practice

A practice that focuses on a multidimensional aspects of a particular industry or sub-component of the economy, most commonly an portion of the economy operating under a statutory or regulatory umbrella.

Academic
Agricultural
Animal Industry
Communications
Construction
Food and Drug
Health Care
Insurance
LGBT+
Municipal
Trusts and Estates
Utilities





Legal Analysis: The Heart of Expert Practice

IRAC

The analysis of virtually every legal issue follows the same pattern:

Issue: What legal issue or question do the facts present to be resolved?

Rule: What is the legal rule that applies?

Application: How do we analyze the facts of the matter against the rule?

Conclusion: Pulling it all together...what's the answer?

Settings and Applications

Client Advice: Discrete Factual Situations

Transaction Consultation and Design

Regulatory Challenge: Administrative

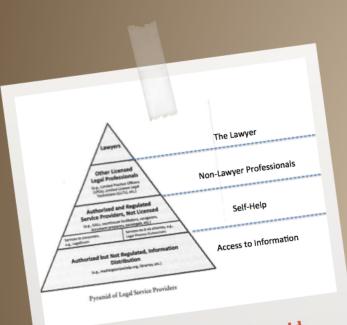
Regulatory Challenge: Litigation

Government Agency Administration

Strategic Planning

Societal Impacts and Service

Expert Practice and The Future of Law

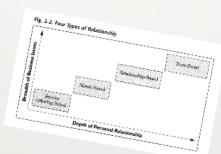


ABA: Legal Services Pyramid



g. 2.3. Characteri	Focus Is Om	Energy Spent on:	Receives.	Success:
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Service-based	Answers, expertise, input		Solutions	Problems resolved
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Maister: Trust Model of Legal Services



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Your Career as An Expert



From Today To Expert



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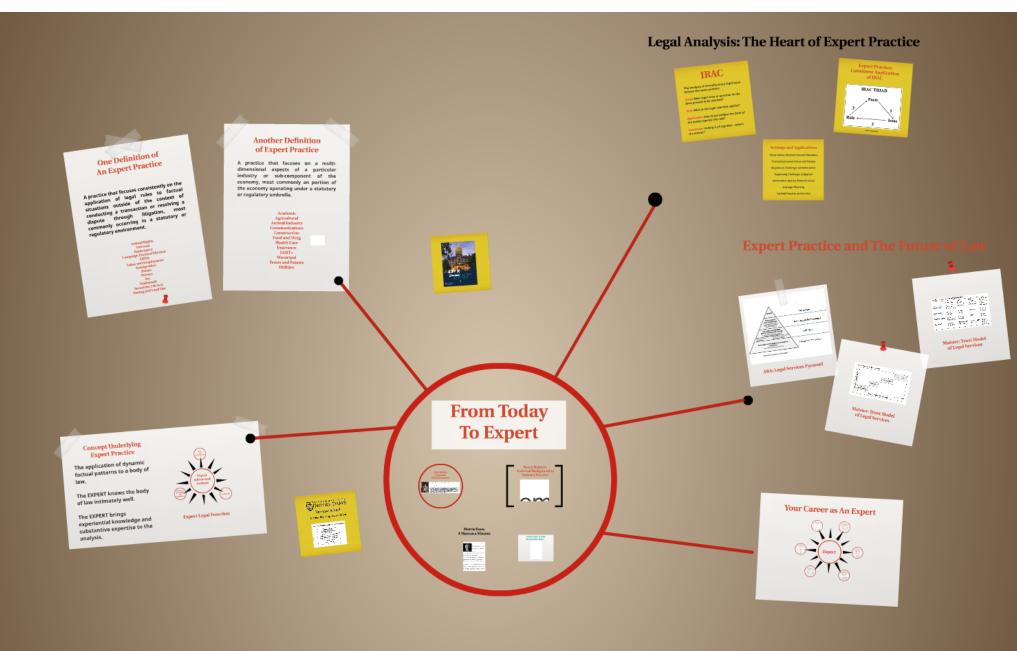
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Morris Dees: A Man on a Mission







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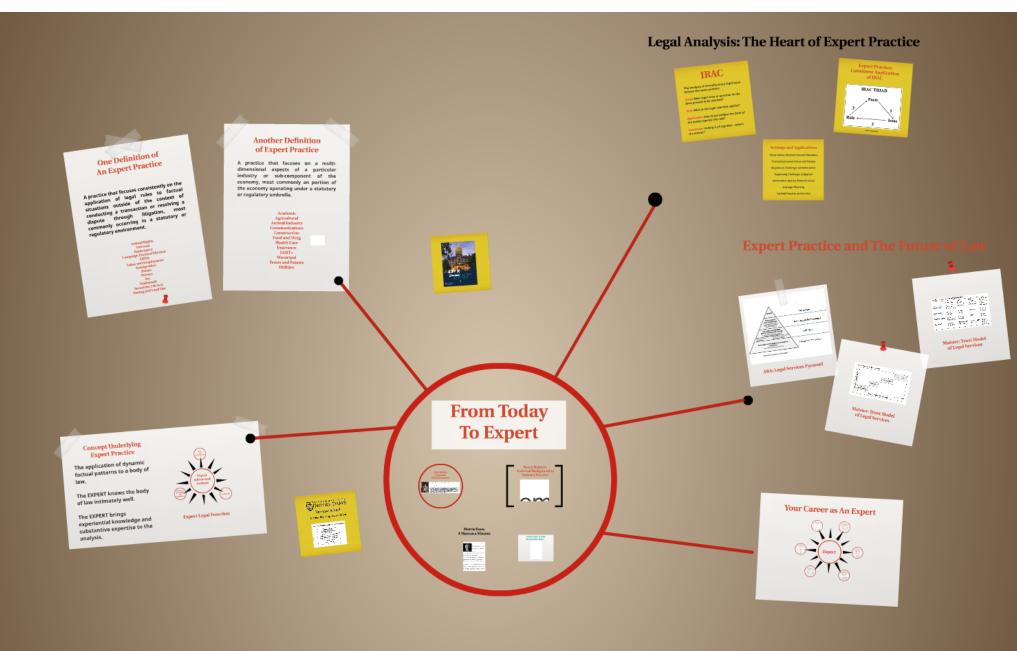
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and **Environment Expert Advice And Analysis** Technical Knowledge and Experience **Legal Rules**

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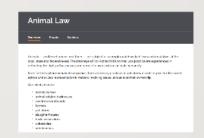
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Animal Law

Overview

People

Services

Animals — and how humans treat them — are subject to a complex patchwork of laws and regulations at the local, state and federal levels. The attorneys of Fox Rothschild's Animal Law practice are experienced in defending the rights of businesses and people to own and use animals humanely.

From farms to pharmaceutical companies, from veterinary practices to pet stores, clients rely on Fox for sound advice and skilled representation in matters involving issues unique to animal ownership.

Our clients include:

- animal owners
- animal-related businesses
- condominium boards
- farmers
- pet stores
- slaughterhouses
- trade associations
- universities
- veterinarians

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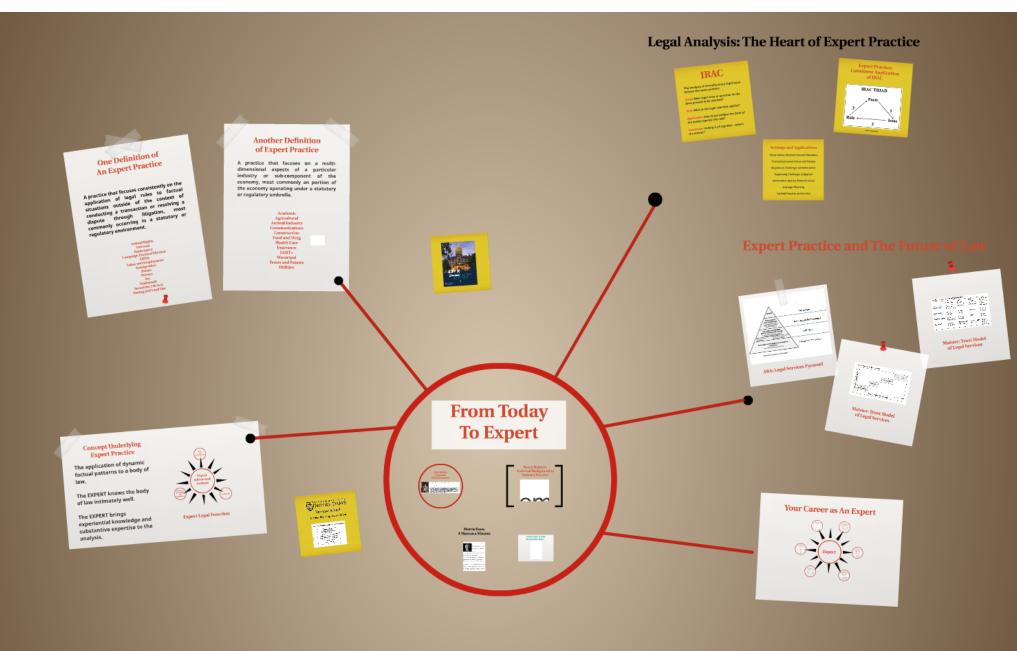
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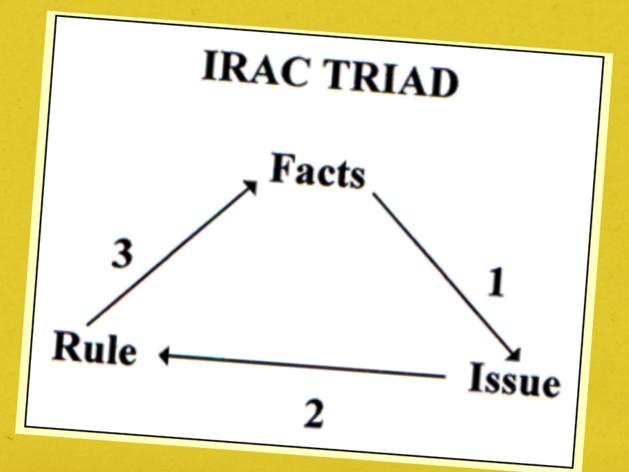
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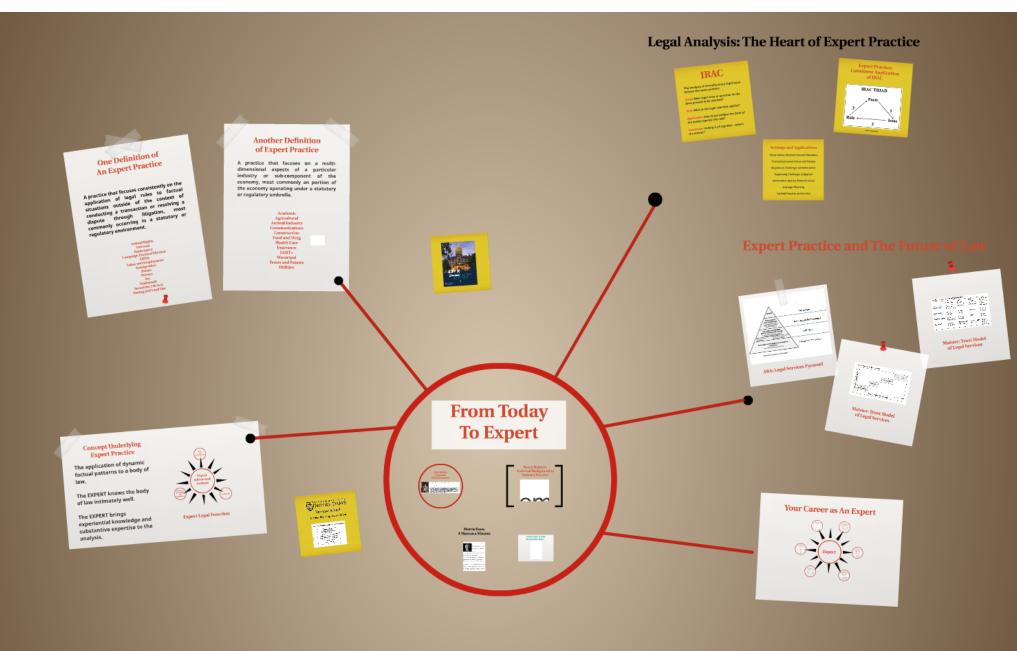
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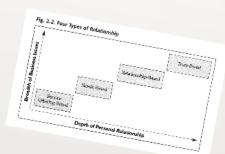


ABA: Legal Services Pyramid



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Noeds-based	Business Business	Problem- colving	ideas	Repeat
Relationship-based	Client organization	Providing irenghts	- C become fix	Mariedi
Trust-based	Client as individual	Understanding the client	'nard issues	e.g. creative pricing

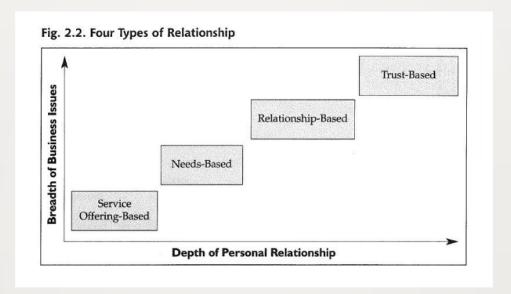
Maister: Trust Model of Legal Services



Maister: Trust Model of Legal Services

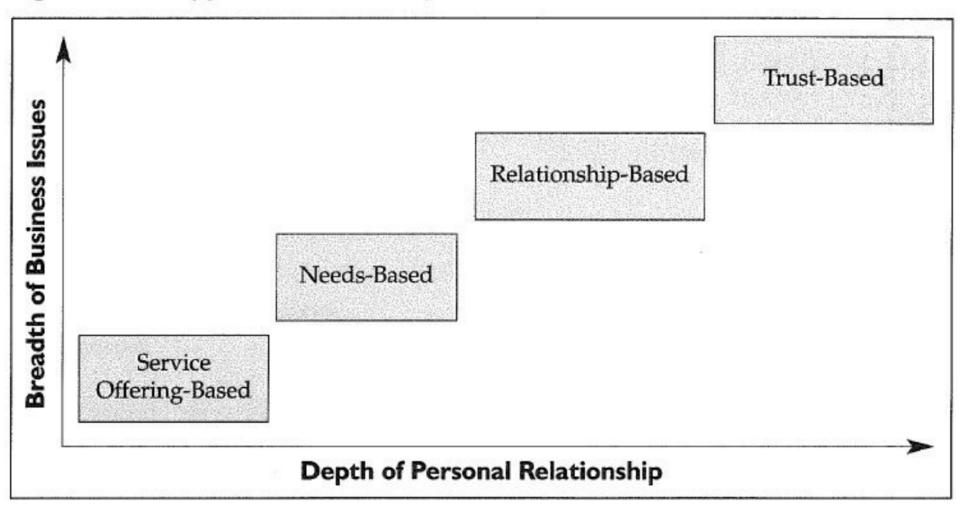


Pyramid of Legal Service Providers



Maister: Trust Model of Legal Services

Fig. 2.2. Four Types of Relationship



Expert Practice and The Future of Law

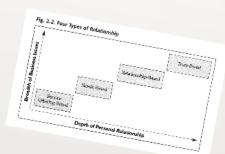


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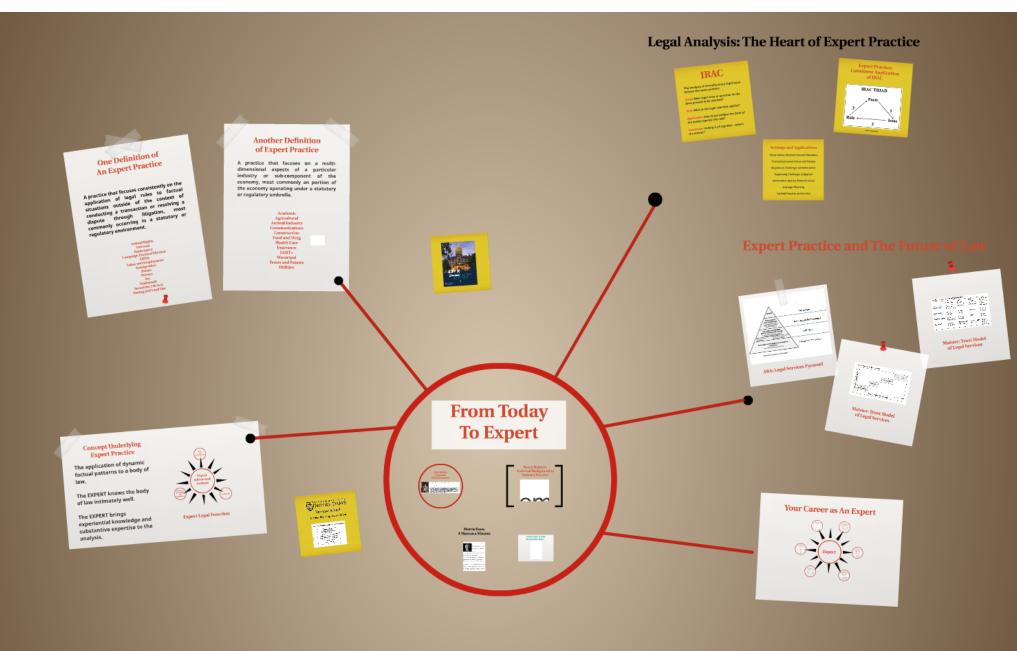
Maister: Trust Model of Legal Services

	Focus Is On:	Energy Spent on:	Client Receives:	Indicators of Success:
Service-based	Answers, expertise, input	Explaining	Information	Timely, high quality
Needs-based	Business problem	Problem- solving	Solutions	Problems resolved
Relationship-based	Client organization	Providing insights	Ideas	Repeat business
Trust-based	Client as individual	Understanding the client	Safe haven for hard issues	Varied; e.g. creative pricing

Maister: Trust Model of Legal Services

Fig. 2.3. Characteristics of Relationship Levels

	Focus Is On:	Energy Spent on:	Client Receives:	Indicators of Success:
Service-based	Answers, expertise, input	Explaining	Information	Timely, high quality
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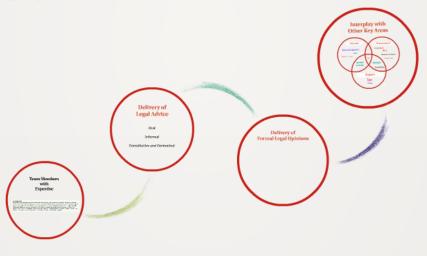


Your Career as An Expert



What Do Experts Do Every Day?

Largely Consultative



Team Members with Expertise

Job Description:

The position includes being involved in a legal office that oversees the legal operations associated with several correctional institutions: Federal Correctional Complex, Beaumont, Texas (4 separate institutions) and the Federal Prison Camp, Bryan, Texas. The incumbent will be expected to provide advice and guidance to all levels of staff at these correctional facilities, including members of the Executive Staff. The incumbent will also be expected to communicate with defense attorneys, prosecutors, federal courts, and agency officials. The incumbent must have thorough knowledge of all aspects of BOP policy and practice as he/she may be required to appear in District Court on short notice to explain and advocate the agency's rationale for its correctional management decisions.

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Delivery of Legal Advice

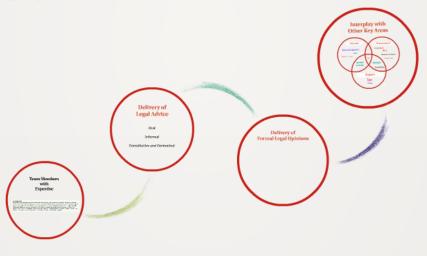
Oral

Informal

Consultative and Contextual

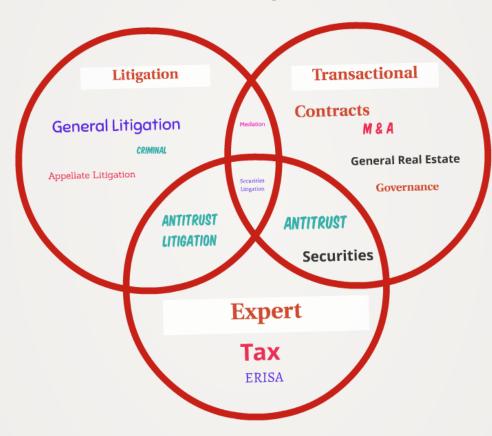
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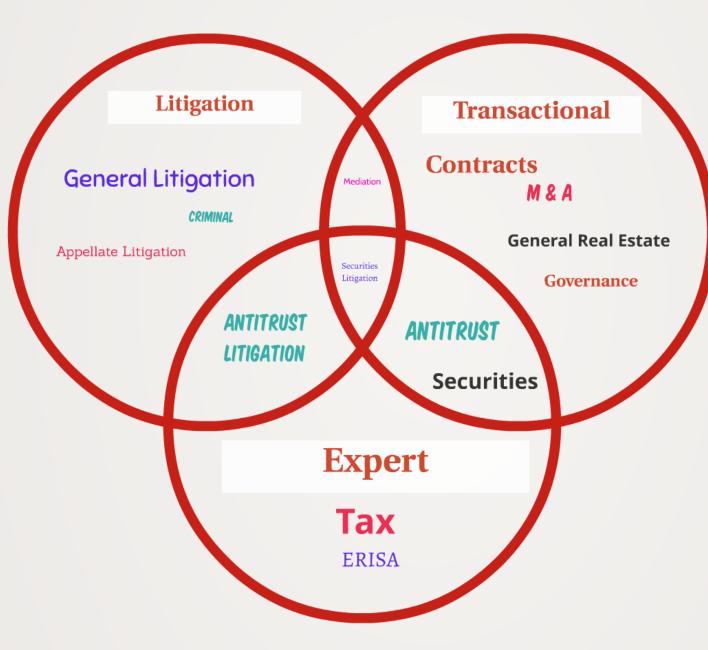


Delivery of Formal Legal Opinions

Interplay with Other Key Areas



Other Key Areas



Your Career as An Expert





What Do You Know Today?

What Expertise Do I Have?

What Are My Passions?

What Are the Causes to Which I Am Dedicated?

Your Career as An Expert



Expert Skills: Take a Long Time...

Legal Analysis and Writing

Understanding Administrative Law

The Regulatory Environment

Transactions and Business

Courses and Experiences

Courses

Legal Writing and Rhetoric Administrative Law Federal Courts Legislation Legislation and Regulation Statutory Interpretations



Any of Nearly 40 Topical Courses

Experiences

Journals
Summer Work
Clinics (Tax..IP..)
Topical Externships
Corporate Externships

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THE NATIONAL ASSOCIATION FOR LAW PLACEMENT

THE OFFICIAL GUIDE TO LEGAL SPECIALTIES

AN INSIDER'S GUIDE TO EVERY MAJOR PRACTICE AREA

BY LISA L. ABRAMS, J.D.

Courses and Experiences

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Your Career as An Expert



Employment Settings

Government Agencies

Large Firms

Public Interest Firms

Industry: In-House

Boutiques

Legislative Settings

Trade Associations



Patchwork Paths In and Out of:

Firms

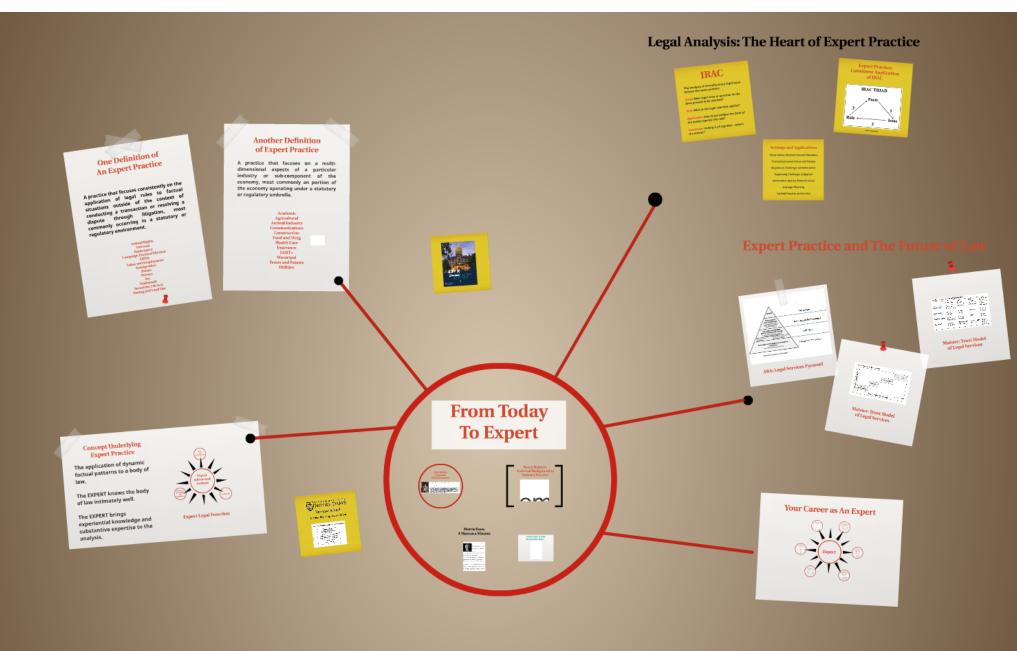
Agencies

Trade Associations

Industry

Your Career as An Expert





Expert Practice: Applied Legal Analysis

From Today To Expert



ME

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Morris Dees: A Man on a Mission





ACADEMIC INTEREST TO HELPING RUN A GOVERNMENT AGENCY?

Experience



Assistant General Counsel

US Securities and Exchange Commission 2011 – Present • 7 years



Senior Counsel

US Securities and Exchange Commission 2005 – 2011 • 6 years Washington D.C. Metro Area



Trial Attorney

U.S. Department of Justice 2002 - 2005 • 3 years



Legislative Assistant

U.S. Senate 2000 – 2002 • 2 years



Law Clerk

U.S. Court of Appeals 1999 – 2000 • 1 year

Education

Vanderbilt University Law School

JD 1994 – 1997



Duke University

AB, Economics, Psychology 1989 – 1993



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John Yodice: Expertise Follows Passion



John Yodice set up his private practice in the District of Columbia and Maryland upon graduation from the George Washington University School of Law in 1959. Since then, he has been continuously representing pilots, flight schools, corporate and commercial operators, aircraft owners, and others in aviation law matters. He has advised many aviation organizations on issues of corporate creation and governance, contract negotiation, tax status and liability, and other business law subjects. He also acts as a consultant to other firms and organizations on all of these types of matters. Mr. Yodice is admitted to practice in the District of Columbia, Maryland, and Oklahoma. He served as a member of the Board, Secretary, and General Counsel to the Aircraft Owners and Pilots Association and the International Council of Aircraft Owners and Pilots Association. He is a Director (and past president) of the Lawyer-Pilots Bar Association and also serves as their Convention Manager, and he is a founding member and current secretary of the International Aviation and Transportation Safety Bar Association (formerly the NTSB Bar Association). Recently, Mr. Yodice was awarded the inaugural IATSBA Lifetime Achievement Award for having made a truly remarkable contribution to aviation law and aviation safety, and he was given the ALIS Award for Excellence in Aviation Law for his demonstrated career achievements that represent the highest standards and goals of the aviation industry.

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Nancy Halpern: Technical Background to Industry Practice



Nancy E. Halpern, D.V.M. Associate nhalpern@foxrothschild.com

<u>Princeton, NJ</u> Tel: 609.844.7404 Fax: 609.896.1469

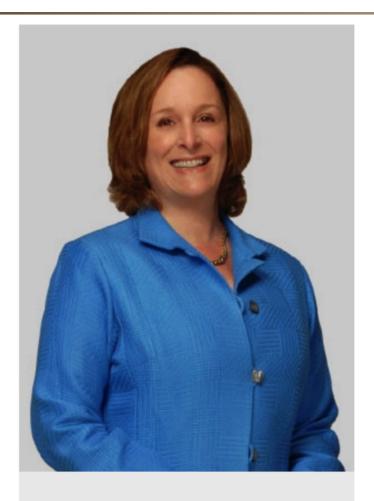






Dr. Nancy Halpern is a registered patent attorney and Chair of the firm's Animal Law Practice. She represents clients in intellectual property and veterinarian pharmaceuticals. Dr. Halpern also represents animal owners, animal-related businesses, veterinarians, biomedical research facilities, farmers and trade associations in issues related to the complex patchwork of local, state and federal laws and regulations governing the humane use of animals. A licensed veterinarian in the State of New Jersey, Dr. Halpern previously served as Director of the Division of Animal Health for the New Jersey Department of Agriculture and New Jersey's State Veterinarian and served on the State Board of Veterinary Medicine Examiners (SBVME) for nearly a decade. In these posts, she was responsible for the state's emergency response regarding animal care concerns in the event of natural or man-made disasters; supervision of the sole animal health diagnostic laboratory in New Jersey and implementation of regulatory and statutory provisions governing animal care, well-being and safety as well as animal disease surveillance and

Dr. Halpern serves on the Board of Directors for Americans for Medical Progress and the New Jersey Association for Biomedical Research. She has represented the American Veterinary Medical Association and other trade associations in legislative and regulatory matters (excluding services covered by the Lobbying Disclosure Act, 2 U.S.C. § 1601 et seq.), represents veterinarians when acquiring or selling their practices and when facing regulatory challenges nationwide. She also provides statutory and regulatory analysis for trade associations and animal-related businesses and represents businesses, from farms to pharmaceutical companies, during their interactions with governmental regulators.



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Morris Dees: A Man on a Mission



Morris Dees co-founded the SPLC in 1971 following a successful business and law career. He started a direct mail sales company specializing in book publishing while still a student at the University of Alabama, where he also obtained a law degree.

After launching a law practice in Montgomery in 1960, he won a series of groundbreaking civil rights

cases that helped integrate government and public institutions. He also served as finance director for former President Jimmy Carter's campaign in 1976 and for Democratic presidential nominee George McGovern in 1972.

Known for his innovative lawsuits that crippled some of America's most notorious white supremacist hate groups, he has received more than 20 honorary degrees and numerous awards. Those include Trial Lawyer of the Year from Trial Lawyers for Public Justice, the Martin Luther King Jr. Memorial Award from the National Education Association and The Salem Award for Human Rights and Social Justice.

He was named one of the 100 most influential lawyers in America by the National Law Journal in 2006. In addition, the University of Alabama Law School and the New York law firm Skadden, Arps jointly created the annual Morris Dees Justice Award to honor a lawyer devoted to public service work. Dees has written three books: A Season For Justice, his autobiography; Hate on Trial: The Case Against America's Most Dangerous Neo-Nazi; and Gathering Storm: America's Militia Threat. In 1991, NBC aired a madefor-TV movie called "Line of Fire" about Dees and his landmark legal victories against the Ku Klux Klan.



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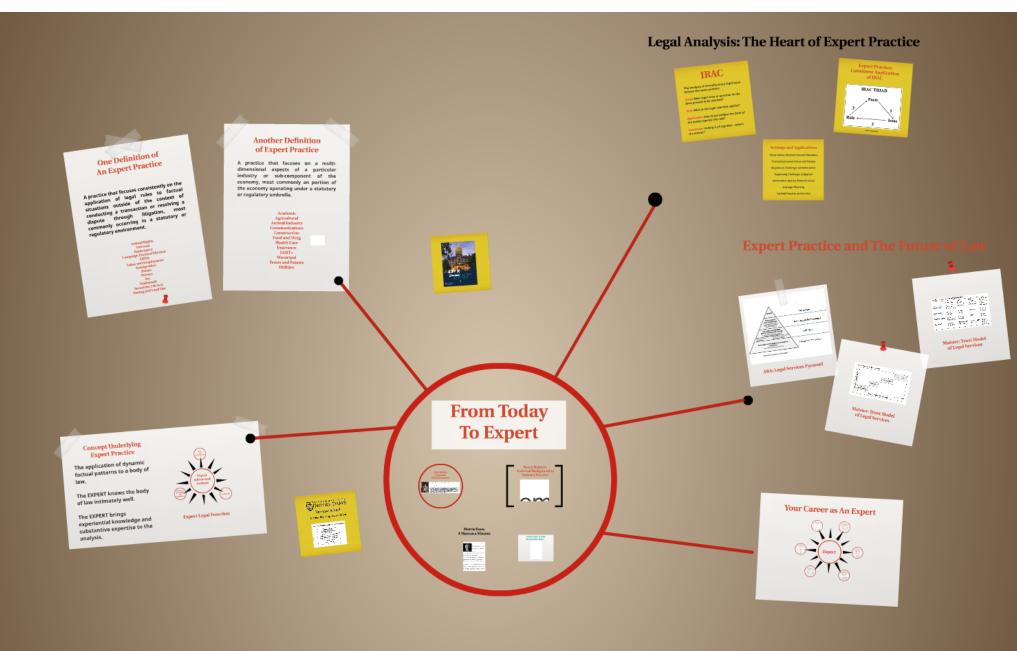
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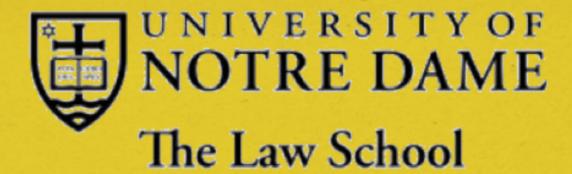
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Expert Practice: Applied Legal Analysis



Career Development Office

Individual Professional Development Plan

Notre Dame Law School Career Development Office Individual Professional Development Plan Workshop Series

- Legal Ethics: Day One	Wednesday, 8/15/18
- Litigation Practice	Thursday, 8/30/18
- Expert Practice and Legal Analysis	Thursday, 9/13/18
- Business and Transactional Practice	Monday, 9/17/18
- Workshop: Completing the IPDP	Thursday, 9/27/18

Each Session Runs from 12:30 to 1:45

Lunch Will Be Provided at Each Session!

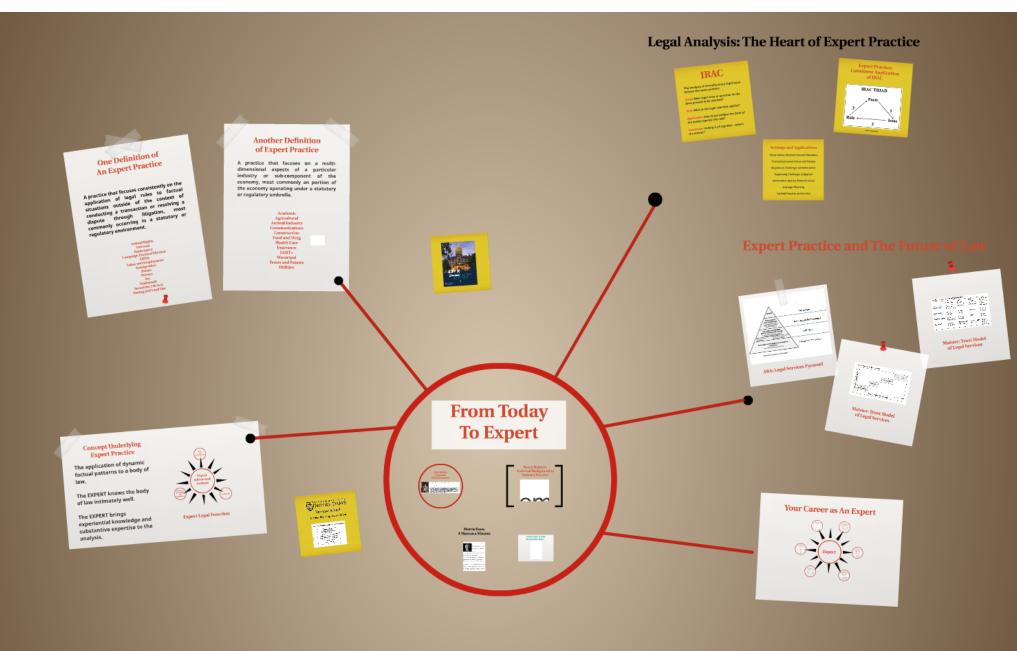
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