SUPPOSE THE CLASS BEGAN THE DAY
THE CASE WALKED IN THE DOOR . . .
(voiceover) My daughter's wedding was the best day of my life since my own, when I saw my husband looking at me, the way my daughter's husband looked at her.

Aspire. You can do it. Because it's your body and your life.

Aspire has been show to help some people lose weight when combined with a proper diet and exercise. Common side effects include... Patients with a history of heart disease should not take Aspire. Ask your doctor about Aspire.
"Aspire" May Cause Heart Valve Damage;

MITRAL AND AORTIC VALVE REGURGITATION: TWENTY-SEVEN REPORTS OF ASSOCIATION WITH ASPIRE

Cardiac Surgery Department
Confusion Clinic
Confusion City, Confusion

Aspire is a prescription medication approved in January 2011 by the FDA for short-term use (3-4 months) as an appetite suppressant for the treatment of obesity. It is a compound of aspirin and caffeine. In this study, it was observed that mitral valve regurgitation and thickened aortic valve leaflets with regurgitation after experiencing cardiac arrest.
Aspire

optimiscin

5 mg

Dispense the accompanying Medication Guide to each patient.

NDC 0074-2456-11

Do not accept if seal over bottle opening is broken or missing. Each capsule contains 5 mg optimiscin.

Dispense in tight, light-resistant container as defined in USP.

Dosage: See package insert for full prescribing information.

Store at 25°C (77°F); excursions permitted to 15-30°C (59-86°F) [see USP Controlled Room Temperature]. Protect capsules from heat and moisture.

30 Capsules

Rx only

K-RI

A product of Kimberly-Robb, Inc.
WEIGHT LOSS MARKETING
The Leading Industry Newsletter
Vol. 5
July 2012

DOOM WEIGHT LOSS WINS SUV AT ASPIRE EVENT
At a Kimberly-Robb media conference for its blockbuster product, "Aspire," on May 16, 2012, the weight loss consultants at "Weight Busters, Inc." in Euphoria, Fla., won a 2011 Cadillac Escalade for their achievements in helping clients lose weight successfully with a combination of counseling, physical fitness, and nutrition. See our website at: www.weightbusters.com

WEIGHTBUSTERS!!
See More Real Results - Weight Loss Success Factor
We Deliver Results!
Personalized Coaching
Professional Medical Advice
111 East Elm Drive
Euphoria City, Euphoria
800-555-5555
See our website at:
www.weightbusters.com

Justine Henin
President
Andorra Pharmaceuticals, Inc.
Over Frances Hollande Avenue
Andorra la Vella, AD 500
Principality of Andorra
376 711113 (off)
376 399999 (cell)
jhenin@andorramarines.com

APG

Aspire
5 mg
Dispense the accompanying Medication Guide to each patient.
30 Capsules
Rx only
K-RI

A product of
Kimberly-Robb, Inc.

HP Pharmacy
For all your family pharmacy needs
5000 East Main Street
Euphoria City, Euphoria
Harry Prendergast, Pharm.D
One hundred pounds later, thanks Aspire!!

Aspire. You can do it.
Because it’s your body and your life.

Aspire has been show to help some people lose weight when combined with a proper diet and exercise. Common side effects include… Patients with a history of heart disease should not take Aspire. Ask your doctor about Aspire.
THE STREAM OF COMMERCE
Introduction to Civil Litigation

Suppose the class began the day the case walked in the door...
## FIRST YEAR CURRICULUM

<table>
<thead>
<tr>
<th>TRADITIONAL</th>
<th>HRS</th>
<th>NEW</th>
<th>HRS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil Procedure</td>
<td>6</td>
<td>Criminal Practice and Writing</td>
<td>5</td>
</tr>
<tr>
<td>Contracts</td>
<td>6</td>
<td>Introduction to Legal Studies, etc.</td>
<td>4</td>
</tr>
<tr>
<td>Legal Research and Writing</td>
<td>6</td>
<td>Introduction to Transactional Practice</td>
<td>8</td>
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<tr>
<td>Property and Criminal Law</td>
<td>6</td>
<td>Introduction to Civil Litigation</td>
<td>10</td>
</tr>
<tr>
<td>Torts</td>
<td>6</td>
<td>Legal Writing and Advocacy</td>
<td>4</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>30</td>
<td><strong>TOTAL</strong></td>
<td>31</td>
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</table>
TAYLOR v. McDANIEL

Intellectual and professional capacities

TORTS

CIVIL PROCEDURE
# SOLVING PROBLEMS

<table>
<thead>
<tr>
<th>GOAL</th>
<th>MEANS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Learn</td>
<td></td>
</tr>
<tr>
<td>Retain</td>
<td></td>
</tr>
<tr>
<td>Transfer</td>
<td></td>
</tr>
<tr>
<td>Apply</td>
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# SOLVING PROBLEMS

<table>
<thead>
<tr>
<th>GOAL</th>
<th>MEANS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Learn</td>
<td>Lots of law</td>
</tr>
<tr>
<td>Retain</td>
<td>Active, deep learning</td>
</tr>
<tr>
<td>Transfer</td>
<td>Authentic circumstances</td>
</tr>
<tr>
<td>Apply</td>
<td></td>
</tr>
</tbody>
</table>
## SOLVING PROBLEMS

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</tr>
<tr>
<td>Transfer</td>
<td>Authentic circumstances</td>
</tr>
<tr>
<td>Apply</td>
<td>✓ Structured, organized knowledge</td>
</tr>
<tr>
<td></td>
<td>✓ Higher-order thinking</td>
</tr>
<tr>
<td></td>
<td>✓ Freedom from boundaries</td>
</tr>
<tr>
<td></td>
<td>✓ Intellectual and professional capacities</td>
</tr>
</tbody>
</table>
Legal Education – England and United States

<table>
<thead>
<tr>
<th>Years</th>
<th>Undergraduate</th>
<th>LPC</th>
<th>Training</th>
<th>Law School</th>
<th>Clinic/Externship</th>
<th>Bar Exam</th>
</tr>
</thead>
<tbody>
<tr>
<td>England</td>
<td>3</td>
<td>1</td>
<td>2</td>
<td>4</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>U.S</td>
<td>4</td>
<td>2.5</td>
<td>0.5</td>
<td>0</td>
<td>0</td>
<td>0.5</td>
</tr>
</tbody>
</table>

- **Undergraduate**: The initial phase of legal education
- **LPC**: Legal Practice Course
- **Training**: Practical and experiential training
- **Law School**: Formal legal education
- **Clinic/Externship**:Externship, etc.
- **Bar Exam**: Examination for legal practice
IT'S NOT ACCESS TO JUSTICE UNLESS THE LAWYER CAN . . .

- Do the research
- Have the evidence excluded
- Try the case
- Write uncontestable will
- Avoid American court jurisdiction
- Get custody for dad
- Solve the client's problem!!
AGENDA

- How and what we learn

IS INHERENTLY INTEGRATED!!!

- American legal education
- Integrated courses and curricula
ONLY CONNECT
How and what we learn
The station was opened on 1 November 1877, by the London and South Western Railway, as Queen's Road (Battersea). The entrance still bears the name Queen's Road, not to be confused with Battersea. The station was renamed Queenstown Road (Battersea) on 12 May 1980. The station's modern entrance and platform signage lacks the "(Battersea)" suffix that appears in timetables.
TYPES OF KNOWLEDGE

Instrumental:
“[R]ules without reasons.”

Richard R. Skemp, Relational Understanding and Instrumental Understanding, The Arithmetic Teacher, Nov. 1978, 9,9
Dear Jen:

I HOPE YOU HAVE FUN ON THE EUROSTAR!

- Come in to Waterloo on train
- Take Northern Line to Euston
- Switch to Victoria Line to King’s X
- That’s St. Pancras
TYPES OF KNOWLEDGE

Relational:
“[K]nowing what to do and why.”

Instrumental:
“[R]ules without reasons.”

Richard R. Skemp, Relational Understanding and Instrumental Understanding, The Arithmetic Teacher, Nov. 1978, 9,9
What's wrong with Kensington?
It's handy for Harrod's.

WHAT LINES PASS THROUGH GLOUCESTER ROAD?
“Grasping the structure of a subject is understanding it in a way that permits many other things to be related to it meaningfully. To learn structure, in short, is to learn how things are related.”

-- Dr. Jerome Bruner

The Process of Education
“[L]earning relational mathematics consists of building up a conceptual structure (schema) from which its possessor can (in principle) produce an unlimited number of plans for getting from any starting point within his schema to any finishing point.”

- Richard Skemp
Complaint Sufficiency

Implied Warranty

Product Liability (manus)

Malpractice (doctor)

Negligence (pharmacist)

Defenses Contribution

Forum selection

“Stream” Pers. Juris

Joinder

SM jurisdiction

Discovery Admissibility

Summary judgment

“Stream” Pers. Juris

Contribition SM juris
TAKEAWAYS

- Knowledge may be relational or instrumental
- Structured knowledge shows relationships between concepts
- Structures of knowledge are schemas for solving problems
- Students construct schemas ("learn") by making connections between concepts
AMERICAN LEGAL EDUCATION

“Legal Analysis and Reasoning”
Christopher Columbus Langdell
1870-80s
“Law, considered as a science, consists of certain principles or doctrines. To have such mastery of these has to be able to apply them with constant facility and certainty to the ever-tangled skein of human affairs, is what constitutes a true lawyer.”

- C.C. Langdell
LANGDELL’S IMPACT

- Socratic questioning method
- Case method
“INTELLECTUAL CAPACITIES”

- Application of law to fact
- Legal analysis
  - Case analysis
  - Text construction
  - Critical thinking
- Fact analysis
- Synthesis
- Evaluation
PRODUCT LIABILITY

I. NEGLIGENCE

II. STRICT LIABILITY

✓ Duty – safe products
✓ Standard – may be liable regardless of care
✓ Breach – defectiveness/unreasonably dangerous

• Not specific – common experience
• Manufacturing
  ▪ 2nd Rest – consumer expectations
  ▪ 3rd Rest – departs from design
• Design
  ▪ 2nd Rest/Beck – consumer expectations
  ▪ Beck – risk-utility – bens > risks
  ▪ 3rd Rest – reasonable alternate design
• Failure to warn
  ▪ Carlin – risks known to scientific community
  ▪ 2nd Rest – risks manu knows or should know with reasonable care that consumers don’t expect
  ▪ 3rd Rest – foreseeable dangers so product is unreas. unsafe
LANGDELL’S IMPACT

- Socratic questioning method
- Case method
- Legal science
<table>
<thead>
<tr>
<th>FIRST YEAR</th>
<th>SECOND and THIRD YEARS</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓ Civil Procedure</td>
<td>✓ Agency and Carriers</td>
</tr>
<tr>
<td>✓ Contracts</td>
<td>✓ Bills of Exchange and Promissory Notes</td>
</tr>
<tr>
<td>✓ Criminal Law and Procedure</td>
<td>✓ New York Procedure</td>
</tr>
<tr>
<td>✓ Moot Court</td>
<td>✓ Corporations and Partnerships</td>
</tr>
<tr>
<td>✓ Real Property</td>
<td>✓ Equity</td>
</tr>
<tr>
<td>✓ Torts</td>
<td>✓ Evidence</td>
</tr>
<tr>
<td></td>
<td>✓ Jurisdiction</td>
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<td></td>
<td>✓ Pleading</td>
</tr>
<tr>
<td></td>
<td>✓ Trusts and Mortgages</td>
</tr>
<tr>
<td>ELEM</td>
<td>THEORY</td>
</tr>
<tr>
<td>----------</td>
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</tr>
<tr>
<td>Duty</td>
<td></td>
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<tr>
<td>Defect</td>
<td></td>
</tr>
<tr>
<td>Cause</td>
<td></td>
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<tr>
<td>Damage</td>
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<tr>
<td>ELEM</td>
<td>THEORY</td>
</tr>
<tr>
<td>--------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Duty</td>
<td>Placed in stream of commerce</td>
</tr>
<tr>
<td>Defect</td>
<td>Failed to warn of risk of heart damage it could have known with more studies</td>
</tr>
</tbody>
</table>
| Cause  | Aspire  
✓ Causes injury  
✓ Caused Lee’s injury                                                |          |            |
| Damage | Medical bills  
Lost wages  
Pain and suffering                                                        |          |            |