

Hi, this is Chris Micheli with the Sacramento Governmental Relations Firm of Aprea and Micheli and an adjunct professor at McGeorge School of Law in the Capital Lawyering Program. Today is part 2 of teaching the Introduction to Capital Lawyering Class.

We start with class participation. Attendance and class participation are an integral part of this course in order to facilitate learning by the students. Regardless if there are a small number of students in the seminar room or a large class room filled with dozens of students. The quality and quantity of student participation is necessary for success in a course such as this. Through the Professor's use of the Socratic Method of teaching, sharing perspectives among participating students, and class discussion on various public policy issues, student will be called up to apply their knowledge and utilize their critical thinking and analysis skills.

There are numerous opportunities to engage in these interactive discussions and the professor assesses the student's ability to apply knowledge and critical thinking skills to form a competent legal analysis, reasoning, and problem solving. The professor will also assess the student's ability to identify and understand key concepts in substantive law, legal theory and procedure that are reviewed and discussed in the readings and the class sessions. Finally the professor will assess the student's communication skills, including effective listening and critical reading as well as interpersonal speech and oral advocacy.

So let's look at an overview of the weekly class session in the Introduction to Capital Lawyering class.

The first class, as one would expect, begins with an introduction and overview of the course. A review of the class syllabus and the course reader, the expectations of the course, and of course the written project and exams as well as a discussion of McGeorge's Capital Lawyering program and then getting into the course materials on policy analysis. Policy analysis is a core function and skill necessary for success as a capital lawyer. According to Professor Nussbaum who created this course, policy analysis is the rubric for problem solving that is typically applied in policy making settings.

The second class session continues with policy analysis and students become familiar with and practice various policy analysis methodologies. It's important for students to understand the difference between policy analysis and policy development. And the different methodologies are addressed in the assigned. The goal is to have student to be able to do a simple policy analysis using one of the methodologies addressed in the assigned readings.

The third class focuses on applying policy analysis to real world issues that are especially relevant and important for attorneys who work in or in connection with California State Government. This class focuses on the national issue of illegal immigration and the State issue of public pensions. Students are expected to demonstrate the ability to do policy analysis regarding these two issues. The goal is for the students to work with classmates and the professor in an attempt to reach consensus on how the various problems could be addressed by California and the Federal Government.

The fourth class, we focus on the public health problem of obesity as a means of exploring how policy matters can be addressed through a wide variety of venues by legislative bodies, such as the California legislature, or United States Congress, by California or Federal Government regulatory agencies, by local government agencies including cities, counties, school districts, and by the initiative process or even by the courts. Students are expected to understand and be able to describe how problems can be addressed through a wide variety of public policy venues and processes and to be able to perform a policy analysis using a methodology for policy analysis and development addressing a cluster of related problems.

The fifth class is the first of four sessions that devoted to the venues for lawyering in California State Government. In these four class sessions, we focus on the California Legislature, the executive branch and Governor, the role of State agencies, the initiative process, and the role of State courts in making policy. For this session, it focuses on the California Legislature.

The sixth class is the second of the four sessions devoted to the venues for lawyering in California State Government. For this class, the focus is on the executive branch of California State Government, especially the role of the Governor in the State's law making and budget processes. Topics include an overview of the executive branch in State Government, how the Governor's involved in the Legislative process, how the Governor's involved in the budget process, how the Governor makes policy via executive orders, and how the Governor directs and influences his or her state agencies.

The seventh class is the third of the four sessions devoted to the venues for lawyering in California State Government. For this session, the focus is on California State Agencies. Topics include array of State Agencies in California Government, the rules and procedures that govern the adoption of regulations by States Agencies, the open meeting laws that apply to California State Agencies and the role of State Agencies in

carrying out statutory responsibilities that are established through the legislative process.

The eighth class is the last of four sessions that devoted to the venues for lawyering in California State Government. For this session, the focus is on California initiative process and the role of the State courts in policy development. Topics include the legal requirements and procedures for initiatives, key research tools regarding initiatives, analysis of recent trends, strategic considerations, upcoming ballot measures, and how the State Courts get involved in setting policy.

The ninth class is first of two sessions devoted to lawyering with the Federal Government. This session focuses on Congress, and the topics include the organization of the legislative branch of the Federal Government, the legislative process, the committee system, the roles and influence of political parties, the roles and influence of interest groups, key procedural and voting requirements, and research regarding federal legislation. The objective of this class is for students to understand the basic and essential aspects of the working of Congress.

The tenth class is the second of two session that's devoted to policy development and lawyering in the Federal Government. For this session, we focus on the President's role in the legislative and budget processes. The executive branch in the Federal Government, the President's power to issue executive orders, the processes for rulemaking and regulations by Federal Agencies, research regarding Federal Agencies, regulations and policy issues, and the role of the Federal courts in making public policy.

The eleventh class is devoted to lawyering in local government in the State of California. Topics include the broad variety of local government entities, State statutory and Constitutional provisions that govern their activities including the open meeting laws, limits on their authority, the types of policy matters typically within the regulatory purview of the local agencies. The objective here in this class is for students to have a basic understanding of the broad variety of local government agencies in California, including the laws that govern their operations and the subject matters within their regulatory purview.

The twelfth class is devoted to an analysis of the various forces and constraints that make public policy development increasingly difficult. Not only in the State of California but also at the Federal level, many analyses have concluded that current day policy development is gridlocked. As such, any capital lawyer attempting to make or influence policy at the California or Federal levels of government should have a working

knowledge of these forces and constraints including what has been done or could be done to address them.

The thirteenth class is focused on advocacy, negotiations, and compromise in policy making settings. Advocacy, negotiation, and compromise are involved in all levels of the policy making process and any capital lawyer attempting to make or influence policy must have a working knowledge of and basic skills of advocacy, negotiation, and techniques for them and for achieving compromise and success.

The fourteenth and final session is devoted to subject matter areas that are especially relevant and important for capital lawyers who work in and around California State Government, which is the state budget. Students are expected to become familiar with the timeline and process for the state budget. The objective for students is to gain a basic understanding of the state budget, including timeline, process organization, historical trends, and how the state budget affects virtually every local and state agency and government. In addition to reviewing broad issues such as taxes, spending, and government services, students will also evaluate proposals of reform for the budget process.

So in conclusion, the Introduction to Capital Lawyering course is designed to provide exposure to capital lawyering in general while educating students about the levels and branches of our government so that these students understand that government may provide an avenue to resolve a client's legal problem beyond traditional litigation or alternative dispute resolution. Being aware of these different avenues to address client issues will be invaluable for students as they enter the legal profession. The students will know that changing the law may be the best approach to solving a legal issue rather than litigating it. Student will also be aware that executive branch agencies and departments do play a critical role in the lives of legal clients as our legal system has become more based on statutes and regulations than case law to address the roles and responsibilities of individuals and businesses in our state. Thanks for joining this second and final part of the Introduction to Capital Lawyering course.