COURSE OUTLINE

1. COURSE NAME and NUMBER:

Special Problems in Commercial Law
Course Number 701

2. COURSE INSTRUCTOR

Name: Professors Bill Mooz, Bill Henderson and Monica Goyal
Office number: NA

Office telephone number: NA

E-mail: bmooz@futurelawpractice.org, bhenderson@futurelawpractice.org, and mgoyal@futurelawpractice.org

Office Hours/Availability for appointments: contact via email.

Assistant's name / location / telephone number: [TBD]

3. COURSE OVERVIEW

You've read recent headlines that say that law students are not prepared for legal practice following graduation, in-house counsel are keeping more work in-house, and law firms are being forced to find ways to become more efficient. In short, the legal market is changing but legal education has not kept pace with the times. As futurist Richard Susskind warns, "we are training young lawyers to become 20th-century lawyers and not 21st-century lawyers."

This course is inspired by the Technology Law Accelerator run by Professor Bill Mooz at Colorado State, which was then incorporated into the curriculum for the Institute of Future Law Practice (IFLP). In today's complex, fast-changing world legal professionals require a bigger tool box. With clients increasingly demanding outcome-based solutions, legal professionals must complement their traditional legal skills with a breadth of knowledge across disciplines. A primary goal of the course is to equip future lawyers with the knowledge and skills that are essential in modern legal practice so that they not only have deep legal knowledge and expertise, but also T-Shaped skills and knowledge in complementary disciplines, including business, design, project management, technology, and data analytics.

The course provides instruction of frameworks, theory and case studies coupled with practical fact scenarios to allow students to get hands-on training in the areas taught in the course. The course culminates in a capstone project that where the students will use all of the knowledge they have learnt over the course in a final presentation.

4. CLASS TIMES

Class is currently scheduled for 4-4:50 Mondays and Wednesdays.

5.   LEARNING OBJECTIVES

No advanced technological knowledge or experience is required as a prerequisite for this course. The course involves the following learning objectives:

- **Gain knowledge of business fundamentals and professional communication**: by the conclusion of the course, students will have had an introduction into the business of law, leadership, legal operations, and alternative fee structures.

- **Gain insight into directions of the legal market**: by the conclusion of the course, students will be able to elucidate competing views on the future of the legal industry

- **Acquire hands-on experience with project management, and process improvement:** by the conclusion of the course you will have hands-on experience with innovation frameworks, project planning and management, process mapping and metrics.

- **Gain familiarity with existing forms of legal technology**: students will see a wide variety of legal IT tools, as well as upcoming approaches and frontiers of current research and development.

- **Acquire hands-on experience:** students will work directly with a number of tools, including process mapping, document automation, data mining and visualization.

- **Understand the issues involved in using information technology in legal settings**: students will understand these issues, which include constraints imposed by costs, business processes, geography, time zones, interactors, other information systems, security requirements, privacy laws, interchange formats, standardized vocabularies, cultural norms, and the like.

- **Elucidate the capability of process and technology to facilitate access to justice**: students will be able to articulate how process improvements and legal information technology allows individuals who cannot afford traditional legal services to access information.

- **Learn how to brainstorm and collaborate on legal business problems**: students will work collaboratively in groups to develop solutions to typical but complex law department transformation issues.

- **Obtain a critical perspective on data analytics and artificial intelligence**: students will be able to participate in a hands-on legal data analytics exercise and learn more about artificial intelligence and its application in the law. You will come to your own conclusions on data, and AI, developed through coursework.

6.   TEACHING METHODS AND EXPECTATIONS:

The course will involve several forms of interaction.

- First, instructors will **lecture** virtually, running the course as a seminar with an opening lecture.

- Second, instructors will deliver **'flipped' classroom lectures** in which students will watch instructional videos, and then attend class to work on problems.

- Third, students will participate in a variety of **exercises**, using computing facilities or their own personal computers. These exercises include participation in case studies, presentations, using technologies to solve legal problems and data analysis exercises.

Students are expected to participate actively during the course. Final projects and exercises are to be done in small groups.

7.   ELIGIBILITY

This course is open to any student in the second or third year of the JD program at Southern University Law Center.

8.   EVALUATION METHODS:

This course is a practical skills development course in commercial legal practice. The deliverables include participation in exercises, presentations and a final capstone project delivered to senior legal professionals.

Students will complete multiple **exercises** that range from document automation to data mining and visualization.

9.   GRADE ALLOCATION:

Grades are allocated for the course in the following manner:
- 20% for presentations;
- 20% for participation;
- 10% for team work; and
- 50% for the final capstone project.

10.   ABOUT THE INSTRUCTORS

This course will be taught by Professors Monica Goyal, Bill Henderson, Bill Mooz and.

- **Monica Goyal** (BASc, MSc, JD) is a Toronto, Canada based lawyer and engineer who currently divides her time between legal practice, and teaching. She is the past-founder and principle of Aluvion, and My Legal Briefcase, both companies dedicated to leveraging technology to change the way people access legal services. Monica's research and development work in the technology industry motivated her to pursue postgraduate studies in electrical engineering at Stanford. She is very active in the legal community, teaches, and speaks at conferences that reflect her passions for law, technology and the future of access to justice and client services. She is a writer/contributor on the topics of law and technology to several legal publications. Monica is an adjunct Professor at Osgoode Hall Law School and an instructor with Institute of Future Law Practice. Monica was recognized as one of the 10 Women to Watch in Tech in the Journal of the American Bar Association, recipient of Women in Legal Tech award by the ABA, nominated for European award for women in Legal Tech and received a Fastcase 50 Award in 2017.

- **Bill Henderson** is a professor of law at Indiana University Maurer School of Law, where he holds the Stephen F. Burns Chair on the Legal Profession. Professor Henderson's research focuses on the empirical analysis of the legal profession and legal education. His innovation initiatives include the Institute for the Future of Law Practice (IFLP, "i-flip"), an education nonprofit that combines sophisticated training in modern law practice with paid internships for law students; Lawyer Metrics, an applied research company that helps law firms use data (acquired by a legal industry nonprofit in 2015); and Legal Evolution, an online publication focused on successful legal industry innovation.

- **Bill Mooz** has practiced law for over 30 years. He is a co-founder of the Institute for the Future of Law Practice (IFLP) and serves as the Chief Product Officer for TermScout, an early stage company that is standardizing the analysis and evaluation of commercial contracts. Previously, Bill founded and managed an office for an AMLaw 200 law firm and managed large legal teams at VMware and Sun Microsystems. He received his JD from Colorado Law (valedictorian) and was a judicial clerk for Judge Stephen F. Williams on the U.S. Court of Appeals for the D.C. Circuit.

The instructors will be available throughout the term via email, in order to provide guidance and resolve administrative issues pertaining to the course. You are highly encouraged to seek feedback on your research project early.
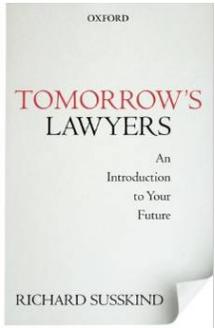
11. CONTENT INFORMATION

Course Materials:

The required readings in this course are mostly composed of *secondary literature*. The intent of the instructors is for students to: (1) obtain a solid overview of the commercial contracts, the business of law, process improvement, legal technology and data analytics, and; (2) grapple with particular issues by reading relevant journal articles, articles and books from a variety of perspectives.

A. Required Materials:

There is one required book for this course:

OXFORD TOMORROW'S LAWYERS An Introduction to Your Future RICHARD SUSSKIND	[Tomorrow's Lawyers](#), by Richard Susskind. *Tomorrow's Lawyers* is a definitive guide to this future--for young and aspiring lawyers, and for all who want to modernize our legal and justice systems. It introduces the new legal landscape and offers practical guidance for those who intend to build careers and businesses in law. Susskind identifies the key drivers of change, such as the economic downturn, and considers how these will shape the legal marketplace. He then sketches out the new legal landscape as he envisions it, highlighting the changing role of law firms-and in-house lawyers-and the coming of virtual hearings and online dispute resolution. He also suggests solutions to major concerns within the legal profession, such as diminishing public funding, and explores alternative roles for future lawyers in a world increasingly dominated by IT.

There are no course textbooks.

B. Optional Materials:

It is the instructors' view that the ability to write and conduct research are essential for success in law and other professions. The books listed below are but a sample of the materials available to help you learn these fundamental skills. We view this course as an opportunity to practice these skills.

Based on our experience, we encourage students to purchase one or more of the **recommended** books listed below. [TBA}

12. COURSE SCHEDULE

What follows is a preliminary schedule that is subject to change.

Class	Date (2015)	Topic	Instructor
1	Aug 12	Introduction to course. Contract Leakage	Professors Goyal, Henderson, and Mooz
2	Aug 17	Overview of Commercial Contracting	Professor Mooz
3	Aug 19	Module 1 Introduce Module 1 Scenario Overview of Evolving Legal Landscape - Exercise Read Susskind, Tomorrow's Lawyers, Part I (pp. 3-49)	Professor Henderson
4	Aug 24	HURRICANE	
5	Aug 26	HURRICANE	
6	Aug 31	Module 1 Teamwork and Followership and Leadership Exercise	Professor Henderson
7	Sept 2	Module 1 Change in Corporate Legal Departments; Legal Operations Competencies Read Susskind, Tomorrow's Lawyers, Part II (pp. 53-105)	Professor Henderson
	Sept 7	**Labor Day Holiday (no class)**	
8	Sept 9	Module 1 Change Management Workshop Read John Kotter, Leading Change, Why Transformation Efforts Fail, Harv. Bus. Rev. (Jan. 2007). Skim, Henderson, Scoring your Innovation (098), Leg. Evolution, June 2019.	Professor Henderson

Class	Date (2015)	Topic	Instructor
		Teams report out on progress on Module exercise	
9	Sept 14	Module 1 Stakeholder analysis interviews	Professor Henderson
10	Sept 16	Module 1 Presentations for Module 1 Exercise	Professor Henderson
11	Sept 21	Module 2 -The Commercial Contracting Process Teams Present Exercise (Homework: review lucidchart video; create process map from interview notes)	Professor Mooz
12	Sept 23	Module 3 – CLM Systems CLM system overview (Homework: TBD)	Professor Mooz; Paul Shoning, Code 42
13	Sept 28	Module 2 – Intake & Assignment Teams Present Exercise (Homework: use provided materials to create (i) an intake template showing all information required for legal to effectively review and act upon request and (ii) agreement assignment criteria for routing the request to the optimal resource)	Professor Mooz
14	Sept 30	Module 3 – Intake & Assignment Teams Present Exercise (Homework: create a web-based legal support request form based upon previous work using XYZ tech)	Professor Mooz
15	Oct 5	Module 2 – Generate Teams Present Exercise (Homework: create a template agreement with 5 variable fields based on materials provided)	Professor Goyal
16	Oct 7	Module 3 – Generate Document Automation Systems (exercise?) (Homework: create a template agreement with 5 variable fields based on materials provided)	Professor Goyal
17	Oct 12	Module 2 – Negotiate Playbooks	Professor Mooz

Class	Date (2015)	Topic	Instructor
		Present Exercise (Homework: review pre-recorded lecture on playbooks; create an approval matrix based upon materials)	
18	Oct 14	Module 2 – Negotiate Playbooks Present Exercise (Homework: review pre-recorded lecture on playbooks; use materials provided to complete playbook entries (language, rational, fallback, and explanation for one provision)	Professor Goyal
19	Oct 19	Module 3 – Playbook Builder Tools	Professor Goyal
20	Oct 21	Module 2-3 – Negotiate Present playbook creation exercise (Homework: build simple playbook using information provided and tool)	Professor Goyal or Mooz
21	Oct 26	Module 2 – Contract Close Out & Management Esignature; Fundamentals of Reporting Present Exercise (Homework: review pre-recorded lecture; using interview notes, prepare a list of 10 things you want to be able to report on)	Professor Goyal and Mooz
22	Oct 28	Module 3 – Contract Close Out & Management Exercise using either an esignature tool or a reporting tool We also could have students identify a listing of event-based notifications that they might want to set up	Professor Goyal and Mooz
23	Nov 2	Module 4 Data Visualization TBD	Professor Goyal or Mooz
24	Nov 4	Module 4 Data Workflow Data Exercise (Homework: review recorded lecture on using workflows to optimize process; using dummy data set prepare an analysis of existing process identifying areas for improvement)	Professor Goyal or Mooz

Class	Date (2015)	Topic	Instructor
25	Nov 9	Module 4 Data Repository Data Exercise (Homework: review recorded lecture on using repository data to derive business intelligence; using dummy data set prepare an analysis of data and identify opportunities to increase revenues or reduce costs)	Professor Goyal or Mooz
26	Nov 11	Final Presentations	Professor Mooz
27	Nov 16	Final Presentations	Professor Henderson
28	Nov 18	Final Presentations	Professor Goyal
29	Nov 23	Final Wrap up and Retrospective	Professor Goyal, Henderson and Mooz
		Potential Make Up	
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