

Jessup Guide

Using Jessup Skills In Your Legal Career

I. Introduction

Most students who compete in the Jessup will go on to practice law, either in a law firm, corporation, government or the nonprofit sector. Others will pursue a career in academia. Whatever your career choice, your participation in the Jessup will provide you with a set of skills and experiences that will be of great value to your future practice. This remains true even for those students whose practice does not involve public international law, and for those students who do not become litigators. The skills demanded and developed by the Jessup are cross-disciplinary and essential to all lawyers, whether practicing mergers and acquisitions in a large international law firm, immigration law at a small boutique practice or as a government lawyer working on health care legislation.

Like any single course or activity in law school, the Jessup cannot fully prepare you for the professional practice of law. However, students who compete in the Jessup emerge with abilities and experiences that give them a distinct advantage over those who have not. This is particularly true for those competitors from countries and jurisdictions where moot court is not part of the traditional law school curriculum.

The purpose of this section of the White & Case Jessup Guide is to help students identify the skills learned while competing in the Jessup and illustrate how these skills will be beneficial throughout their careers.

II. Skills Needed For a Successful Legal Career

Lawyers are, first and foremost, problem solvers. Clients, be they corporations, individuals, foundations or governments, come to lawyers with a specific legal problem and expect a solution. Solutions may come in the form of a simple “yes” or “no” answer, or may involve a lengthy legal analysis and long-term plan of action. But, in all circumstances, a lawyer is expected to communicate a clear, understandable and legally sustainable answer to the client’s specific problem. Lawyers are also expected to be creative and imaginative in the generation of ideas, especially when a legal problem has no obvious or decisive solution (not an uncommon experience in law practice). Lawyers must exercise good judgment and be prudent in every recommendation he or she makes.

A lawyer cannot be a useful problem solver or idea generator if he or she cannot effectively communicate ideas and solutions in writing and orally. Detailed knowledge of the law is essential, but without excellent written and oral communication skills, legal knowledge will not be useful to a client.

The vast majority of lawyers will work with other lawyers in a team, the size of which can vary anywhere from two to two hundred. Relationships in such teams demand flexibility and willingness to play either a supporting or leadership role, depending on the circumstances. Lawyers are constantly interacting with opposing counsel, clients, judges, government officials and counterparties. A lawyer must be able to work with others in a collegial and professional manner towards a common goal of providing a client the best possible advice or approach to a particular problem.

Finally, a lawyer is expected to work hard. Because the implications of improper legal advice can have serious consequences, lawyers simply cannot afford to be lazy about their work. They must expend maximum effort to provide the solution the client wants and needs. At the same time, lawyers do not have unlimited time in which to think about the facts and the law. Accordingly, lawyers must be efficient with their tasks, focusing on the issues that are most relevant and setting aside those which are unimportant. The ability to prioritize and distinguish between important and unimportant issues requires sound judgment.

The above abilities—problem solving, idea generation, creativity, sound judgment, effective written and oral communication, team work, ability to prioritize—are all skills that the Jessup is intended to foster in law students. Each particular phase of the Jessup Competition, starting from the day the Compromis is released until competitors shake hands with opponents after their final oral round, demands and develops each of these skills.

A. Fact Analysis

The first section of the White & Case Jessup Guide is entitled “[Working with the Compromis](#).” It is no coincidence that a discussion of how to read and analyze the facts set out in the Compromis comes before the section on how to conduct international law research (“[Researching International Law](#)”). Gathering and understanding the facts of a case, transaction or other legal situation is the critical first step for any lawyer before substantive legal research can begin. Lawyers who start to develop legal theories without first assessing the available facts are doing their clients and themselves a disservice.

The Jessup Compromis is a complicated fact pattern that is purposely designed to include both important and unimportant factual details (“unimportant” in this context usually means a fact that is not essential to the relevant legal analysis). As described above, a good lawyer has the judgment to distinguish between important and unimportant facts, and can prioritize the important facts in the overall context of the legal analysis. A good lawyer can also recognize the value in a seemingly unimportant fact. Jessup competitors are expected to do the same.

Of course, in real world legal practice, the facts are never as self-contained as they are in the Jessup Compromis. And young lawyers are often tasked with legal research projects that are far removed from the facts of a particular matter (either because they are unknown at the time, or the legal issues to be researched can be analyzed without reference to the facts). Nevertheless, Jessup judges are always impressed with those

competitors who are able to focus on the important factual details and use even seemingly obscure facts to support their legal arguments. This is an important exercise that will yield benefits when it comes time to undertake fact gathering and analysis in your legal career.

B. Legal Research

Young lawyers spend many hours conducting research of both primary (case law, codes, legislation) and secondary (treatises, articles) sources. The ability to conduct legal research effectively and efficiently is crucial. Lawyers are not only expected to find and understand the relevant legal authorities, they are also expected to find such authorities within a limited amount of time.

As the White & Case Jessup Guide section on “[Researching International Law](#)” points out, conducting research in public international law is somewhat unique because of the disparate sources of law. Nonetheless, Jessup competitors have the experience of setting out a research action plan, identifying the hierarchy of legal sources, conducting systematic and intensive legal research in a limited period of time and distinguishing the most important legal authorities from less important sources. These are essential skills for young lawyers regardless of the subject area of law being researched.

Furthermore, those Jessup students who take advantage of the free electronic legal database passwords distributed annually by the International Law Students Association (“ILSA”) are also exposed to what is now an established method of legal research. For those competitors from countries that do not have regular access to such legal databases, knowledge of the basic search techniques is an advantage when applying for a job as a young lawyer.

C. Legal Writing

Most lawyers spend a significant portion of their time writing memoranda, letters, e-mails, legal briefs, etc. As noted above, in-depth knowledge of the facts and law are of little value if a lawyer cannot communicate effectively in writing. Legal writing must be clear, concise, precise and understandable to the reader. Any written work product, whether it is a brief to the highest court in the land or an explanatory e-mail to another lawyer, must be well-organized and presented logically. As all students discover during the Jessup Competition, legal writing is an ongoing process that requires regular reassessment of assumptions and refocusing of the inquiry, as well as constant editing and revision.

The Jessup is obviously focused on written advocacy, i.e., a submission designed to convince the court of the correctness of your case. This is obviously helpful to those students interested in a litigation career, either before national courts and administrative bodies or before international courts and arbitration tribunals. Jessup competitors will be pleasantly surprised to see how similar the Jessup rule requirements and style of written memorials are to other types of written advocacy submissions.

But the legal writing skills developed during the Jessup are relevant for all areas of legal practice. Of course, the purpose and method of writing a memorial is different than drafting a commercial contract or a client memorandum, but they involve the common goal of conveying information in a clear, precise, logical and understandable fashion. Regardless of your career choice, you will find the Jessup writing process to be of great value.

D. Oral Advocacy

The Jessup is clearly invaluable experience for those students who pursue a career as an advocate before domestic and international courts and tribunals. Indeed, many Jessup alumni report that the grilling by judges during the Competition was more challenging (and rewarding) than what they usually experience before real judges and arbitrators. Oral argument at the Jessup is great practice for real world advocacy because the goals are the same: to answer questions, clarify confusion and satisfy doubt in the minds of the judges, reinforce the key arguments in the written submissions and to effectively demonstrate to the court that your position is legally well-supported and preferable to the position of the other side.

But even those students who do not choose a career in litigation will come to realize the importance of effective oral communication. All lawyers, regardless of practice area, are called upon to give presentations, explain a client's position to opposing counsel, negotiate with counterparties and participate in conference calls. In so doing, a lawyer must be confident and able to clearly express their ideas in a manner appropriate for the audience. Effective public speaking takes many years to master, but the Jessup is a formidable stage in the development of those skills.

Teams from more than 80 countries worldwide participate in the Jessup and many of the students are not native English speakers. The fact that many Jessup competitors are speaking in their non-native language makes the public speaking element of the Jessup all the more impressive.

E. Time and People Management

Jessup competitors around the world share the experience of intense interaction with their teammates and coaches while trying to balance other commitments, both academic and personal. Law practice is no different. Lawyers are constantly juggling assignments, court appearances, meetings, drafting, appointments and travel. Those who are able to manage such conflicts with as little stress as possible are usually the most effective lawyers, and they also tend to be the happiest. Jessup competitors who are able to effectively balance the incredibly demanding memorial drafting and oral pleading practice schedule with their other schoolwork, as well as their personal lives, will be well placed to do the same in a professional legal environment.

Managing people is also a critical part of law practice. Lawyers often work in teams, but also have constant interaction with legal assistants, secretaries and service providers (e.g., couriers, photocopy and binding, court clerks, etc.). Convincing people to willingly cooperate and perform their required tasks within a tight deadline is not always easy, especially when stress levels are high. Jessup competitors have been exposed to the reality of working in a small team with a single goal (i.e., drafting a good memorial and winning oral pleading rounds), as well as having to deal with librarians, professors and fellow students while preparing for the Competition. This is very similar to the experience many will have in their professional environments.

F. Professionalism

Some competitors find the Jessup rules of behavior (both written and oral) peculiar and overly formal, such as addressing judges as "Your Excellency," immediately asking the president for extra time once time has expired and never speaking at the counsel table. However, proper respect and deference shown to the court and to one's adversaries is an essential part of building the integrity and effectiveness of the legal system, and is indispensable to building one's personal image as a professional lawyer.

At first glance, this may seem like an insignificant skill set for a legal career, but it should not be underestimated. Jessup competitors will be surprised at the lack of professionalism amongst some lawyers, even at the highest levels of private and public practice. Breaches of etiquette and bad behavior not only brings the general image of lawyers into disrepute, but such behavior usually ends up having negative consequences for the client that the lawyer is supposed to be helping. Similarly, Jessup competitors will find themselves penalized if proper respect is not shown to the judges, fellow competitors and volunteers at the competition venue.

This makes it all the more important for Jessup competitors to maintain the practice of decorum and civility that the Competition demands. By learning to treat judges and your opponents with respect, even when in vigorous disagreement, Jessup competitors are taking an important step towards cultivating an image of professionalism.

G. Cultural Awareness and International Experience

In a globalized world, lawyers are increasingly called upon to deal with cases and transactions with significant cross-border issues and ramifications. But many lawyers feel uncomfortable when dealing with opposing counsel, clients or counterparties from other countries. Jessup competitors have a big advantage in this respect. Not only does the subject area of the Jessup—public international law—facilitate international peace and cooperation, but the format of the entire Competition is geared to foster cultural understanding amongst students and judges from dozens of countries. This is invaluable experience for lawyers whose practice requires interaction with foreign parties.

H. Substantive Knowledge of International Law

Most Jessup competitors will never have the honor of appearing before the real International Court of Justice. But this does not mean the deep knowledge of international law developed by Jessup competitors will go to waste. Opportunities to practice international law abound in government foreign ministries, the United Nations, international organizations (e.g., World Bank), and nongovernmental organizations (especially those focused on international human rights). Public international law is also increasingly important in cross-border disputes and transactions involving corporations, so there are now greater opportunities for Jessup alumni to put their knowledge of international law to good use in private law firm practice. International trade law, sovereign immunity, economic sanctions, export control

regimes, foreign corrupt practices, international environmental regulations and foreign investment treaty arbitration are all sub-areas of public international law that are increasingly important to corporations.

III. Conclusion

As a tool of legal education, there are few experiences that rival the Jessup. What is also unique about the Competition is how it reflects real world law practice in so many ways. Those competitors that put in the requisite time and effort to the Competition will be better prepared for professional law practice than their peers who did not compete in the Jessup.

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We work with some of the world's most well-established and most respected companies—including two-thirds of the *Global Fortune 100* and half of the *Fortune 500*—as well as start-up visionaries, governments and state-owned entities.

We look forward to the opportunity to meet many of you throughout your participation in the Jessup. If you have questions, comments or suggestions about the White & Case Jessup Guide, or the Firm's participation in the Jessup, please contact

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