

FREDERICK SCHAUER

# THINKING LIKE A LAWYER

A NEW INTRODUCTION  
TO LEGAL REASONING

*This is a book about thinking and reasoning. More particularly, it is about the thinking, reasoning, and argumentative methods of lawyers and judges, which may or may not be different from the thinking, reasoning, and argumentative methods of ordinary people. Whether lawyers think, reason, and argue differently from ordinary folk is a question and not an axiom, but it is nonetheless the case that certain techniques of reasoning are thought to be characteristic of legal decision-making.*

# Thinking Like A Lawyer An Introduction To Legal Reasoning

**Bruce R. Hopkins**



## **Thinking Like A Lawyer An Introduction To Legal Reasoning:**

**Thinking Like a Lawyer** Kenneth J. Vandeveld, 2018-04-19 Law students law professors and lawyers frequently refer to the process of thinking like a lawyer but attempts to analyze in any systematic way what is meant by that phrase are rare In his classic book Kenneth J Vandeveld defines this elusive phrase and identifies the techniques involved in thinking like a lawyer Unlike most legal writings which are plagued by difficult virtually incomprehensible language this book is accessible and clearly written and will help students professionals and general readers gain important insight into this well developed and valuable way of thinking Updated for a new generation of lawyers the second edition features a new chapter on contemporary perspectives on legal reasoning A useful new appendix serves as a survival guide for current and prospective law students and describes how to apply the techniques in the book to excel in law school **Thinking Like a Lawyer**

Frederick F. Schauer, 2009-04-27 Aimed at law students and upper level undergraduates this primer on legal reasoning is also an original exposition of basic legal concepts that scholars and lawyers will find stimulating Schauer s analysis of what makes legal reasoning special will be a valuable guide for students and a challenge to a wide range of current academic theories *Think Like a Lawyer* Edwin Scott Fruehwald, 2013 Resource added for the Paralegal program 101101

Thinking Like a Lawyer - a New Introduction to Legal Reasoning Frederick Schauer, 2021-05-24 **Legal Reasoning in Environmental Law** Douglas Fisher, 2013-09-30 I am afraid that an endorsement of this kind however condense and packed with praise cannot do justice to Doug Fisher s latest book A respected and seasoned environmental law scholar Fisher skilfully reminds us that law is about language and that *Failures of American Civil Justice in International Perspective* James R. Maxeiner, 2011-08-29 Civil justice in the United States is neither civil nor just Instead it embodies a maxim that the American legal system is a paragon of legal process which assures its citizens a fair and equal treatment under the law Long have critics recognized the system s failings while offering abundant criticism but few solutions This book provides a comparative critical introduction to civil justice systems in the United States Germany and Korea It shows the shortcomings of the American system and compares them with German and Korean successes in implementing the rule of law The author argues that these shortcomings could easily be fixed if the American legal systems were open to seeing how other legal systems civil justice processes handle cases more efficiently and fairly Far from being a treatise for specialists this book is an introductory text for civil justice in the three aforementioned legal systems *Law, Time and Historical Injustices* Harison Citrawan, 2024-12-09 This book provides a critical assessment of how judges reason in the adjudication of historical injustices The practice of adjudication in historical cases of injustice require that in determining collective responsibility judges impart meaning to past injuries This book analyses the narrative mechanisms through which this meaning is produced Focusing on three areas of adjudication racial discrimination post colonial extractivism and the climate crisis the book s analysis focuses on the issue of time It considers the interplay of how historical injustice adjudication is shaped by temporal presuppositions

and how it enacts a particular idea of temporality As experiences of injustice are narrated the book demonstrates how some of those experiences are included and others are excluded within the process of adjudication Drawing on legal theory legal epistemology and the philosophy of time the book thus offers an instructive and provocative account of how collective responsibility is determined in cases of historical injustice This book will appeal to scholars working in the fields of legal theory legal reasoning socio legal studies comparative jurisprudence and transitional justice

**Essentials of Lawyering Skills in Africa** Festus Emiri, Ernest Owusu-Dapaa, 2020-07-01 In twenty two chapters divided into six parts for convenience the authors not only lay bare the art of lawyering but also provide invaluable nuggets of perfecting and excelling as a solicitor and advocate There is little doubt that the contents of this book dramatically make a lawyer especially the lawyer in Africa to be more effective more skilful and a proper lawyer useful to the client and society

The Cambridge Companion to the Philosophy of Law John Tasioulas, 2020-07-02 An accessible comprehensive and high quality companion to legal philosophy written by a stellar cast of international contributors

*Law as Culture* Kathy Laster, 2001 Law as Culture is a beguilingly accessible lively and engaging introduction to the law and to legal skills complete with innovative skills exercises and even some cartoons It gives the reader a framework for subsequent legal study and for professional life by demystifying the language and culture of the law and by building legal skills The Extracts Preface to the 2nd edn and Skills Inventory below link above clearly outline the many strengths of this edition The book shows how law students are socialised into professional legal culture and encourages independent thought It highlights the ways in which law reflects social values and priorities the place of law as one among many systems of social organisation and problem solving and the rise of lawyers as a subculture This edition has been extensively revised to take account of developments in law such as the results of the 1999 Referendum on the Republic the debates about a Bill of Rights for Australia and changes to legal professional practice The jurisdictional reach has been extended to look at cases and legislation from all Australian States Black White relations has been introduced as a recurring theme materials on Aboriginal Reconciliation the Wik judgment and the legal and political debate over the Stolen Generations give continuity and perspective Law as Culture includes clear and accessible accounts of key jurisprudential issues and an extended introduction which sets out the pedagogical assumptions There are cases and legislation from all Australian States thorough referencing and an annotated list of Further Reading in each chapter

The New Lawyer, 3rd Edition Nickolas James, Rachael Field, Jackson Walkden-Brown, 2023-10-23 The New Lawyer 3rd Edition has been updated to ensure that first year law students do not feel overwhelmed by the transition to law school This book addresses the law Threshold Learning Outcomes TLOs and outlines what students should know understand and be able to do at the conclusion of their first year of study

A Nonprofit Lawyer Bruce R. Hopkins, 2018-02-22 A Nonprofit Lawyer By Bruce R Hopkins You re a what As a nonprofit lawyer Bruce R Hopkins has heard that reaction more than a few times but it still makes him smile A practicing lawyer for more than five decades Hopkins is a nationally recognized leader concerning

the laws and regulations pertaining to nonprofit organizations These organizations face a dizzying number of requirements both for gaining recognition of tax exemption from the IRS and filing annual information returns to continue to justify that status Lucky for them lawyers like Hopkins are there to help A Nonprofit Lawyer is one part crash course in nonprofit law and one part autobiography telling the story of how Hopkins initially stumbled into nonprofit law and how he has become a prolific author and speaker on the subject while also maintaining a busy practice Anyone interested in specific applications of nonprofit law or just looking for an interesting read about a passionate specialist will find plenty to like in these pages

**Introduction to Law and Legal Reasoning** Jane C. Ginsburg, 2004 This course book serves an undergraduate course in introduction to legal reasoning It is designed to initiate students in the legal methods of case law analysis and statutory interpretation prompting students to take a critical distance from the wielding of the methods It helps students acquire or refine the techniques of close reading analogizing distinguishing positing related fact patterns and criticizing judicial and legislative exposition and logic

**The African American Law School Survival Guide** Evangeline M. Mitchell, 2006

Legal Rules and Legal Reasoning Larry Alexander, 2000 This two volume collection of essays brings together major contemporary theoretical works on freedom of speech Volume I begins with a theoretical overview of freedom of speech and then turns to the topics of what justifies freedom of speech and what kinds of acts raise free speech concerns Volume II examines the distinctions among content regulations and between content and content neutral regulations It also analyses the concept of the public forum inciting and hateful speech and lastly the tension between the subsidizing activities of the affirmative state and the negative liberty of freedom of speech

**Michigan Law Review** , 1997 Brigham Young University Education and Law Journal , 2006 *Sharpening the Legal Mind* William Powers (Jr.), 2023

**Introduction to Legal Method and Process** Michael A. Berch, Rebecca White Berch, Ralph S. Spritzer, 1992 *On Coming to Law* F. C. DeCoste, 2001 A lawyer s view of the institutions and practices of law in society for students beginning or considering the study of law

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