**Government Lawyering,  
Policy and Practice: Semester in Washington**  
LAW-2104     Spring 2023     TTh 6:30 p.m. – 8:00 p.m.  
The offices of Morrison & Foerster, 10th floor conference room (10-C)  
2100 L Street, N.W., Suite 900, Washington, D.C.  20037

Professor: Jonathan J. Wroblewski  
Office hours: By appointment, via Zoom or in-person  
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**COURSE DESCRIPTION:**

This course will examine the role of the government lawyer in policy making and the many forces that influence the work of policy making in general, and for the government lawyer in particular.  The course will focus on the skills required of government attorneys in policy making; the unique ethical, legal and moral issues they face; and the impact of politics and ideology on their work.  We will explore the role of bureaucracy, think tanks and interest groups on policy making and how the influence of each has changed in recent years.  The course will look at the discourse in policy making in Washington and the implications of the state of discourse for the government lawyer involved in policy making, legal advice, and advocacy.  Finally, the course will explore the process of policy making and the use of data and research in it.

The course will include student discussions of their experiences in their clinical placements and what it’s like to work in Washington, D.C. on policy issues.  Students will be required to come to class prepared to discuss the elements of their work relevant to the issues being explored in class.  Guest speakers, including government lawyers, issue advocates, and think tank scholars, will visit the class periodically throughout the semester.  Students will be expected to research the background of the guests and participate in class interviews to explore their work.  The class may also include visits to government offices to examine, for example, how data used in the policy making process is actually collected and synthesized.

Students will attend class twice a week, with readings and classroom discussions supplemented by guest speaker events and visits to government offices on occasion throughout the semester.  Case studies will supplement the core readings.

The course fulfills Harvard Law School’s Professional Responsibility requirement.

**GRADING AND ASSIGNMENTS:**

Your grade will be composed of four parts: class discussion, class presentations, one or two short writing assignments, and a final paper relating to your work and/or classroom subjects.

**Discussion:** Vigorous, unsolicited participation in class discussions is expected of all students and will count for 15% of your final grade.  Those who miss class, come unprepared, or do not make thoughtful contributions to class discussions will not receive full credit.  A significant portion of the class discussion will revolve around issues and questions raised by students.  One of the goals of the program is to make us all better policy entrepreneurs, lawyers and staffers.  Active participation is part of the process of reaching this goal.  Class meetings will be used to analyze, critique, and compare assigned readings, not to review them for those who have not done the readings.  Guest speakers, including government lawyers, issue advocates, and think tank scholars, will visit the class periodically throughout the semester.  Students will be expected to research the background of the guests and participate in class interviews with the guests to explore their work and how it relates to our own.  I may also post discussions on the course Canvas site during the semester.

**Class presentations:** Students will be responsible for making two short class presentations – about 10-15 minutes each – which are intended to serve as a basis for class discussions. These presentations will be 20% of your final grade.  The first presentation (in the first half of the course) should briefly describe your new work environment, whether any of the elements described in Bureaucracy are especially present, and whether you think your workplace is "great" and why.  The first presentation will also explore the topic of your initial policy project, which will explore a policy issue of interest to you.  The second presentation (near the end of the semester) will be of your final research paper, your findings and analysis.  Your preparation for these presentations should generally include reading extra material in your substantive area to help facilitate class discussion on the relevant issues you will be discussing.  The presentations are not to be just simple summaries.  Within the limitations of the time available, they should briefly summarize the relevant issues but should also be critical in nature and geared toward stimulating class discussion.  Students will also make an "Elevator Pitch" early in the semester, which will count for 5% of your final grade.

**Short writing assignments:** One or two times during the semester, you will be asked to complete a short writing assignment.  These assignments will likely be to prepare a policy development brief or a one- or two-page set of “talking points” for an official facing questions on a particular topic or short congressional testimony, a short speech, or a five-minute presentation for a panel discussion on an issue of pressing concern.  These papers will cumulatively be 20% of your final grade.

**Paper:** You are required to write a paper of between 15 and 20 double-spaced pages on your research topic.  The paper will be 40% of your grade. The paper should be analytical, exploring your topic and discussing, for example, how the topic fits into the policymaking of relevant agencies, Congress, or the government more generally; whether the topic fits or does not fit into the model of government lawyering we discussed in class; or how your thinking around the topic has evolved.  The paper, though, must do more than simply summarize the state of the topic.  You should do additional research beyond the class materials, but the key to a successful paper is your own analysis.  The paper should include references to any substantive work that you rely on, but each sentence need not be footnoted.

**Thank you note assignments:** Each student is responsible for drafting a thank you note to one of our guests.  Students should then circulate the draft for comment to all other students and me and see that the note is finalized and sent out.  Thank you note assignments: 2023 -  TBD; Joseph R. Palmore, Managing Partner at Morrison & Foerster - ?; Staff at Morrison & Foerster - ?.

**OTHER ISSUES:**

**Communication:** We will use the Harvard Law School’s Canvas web portal and email system to communicate with each other for this class.

**Accessibility:** Any student in this course who has a disability that may create a challenge in any aspect of the class or the Program should contact me as soon as possible to discuss accommodations necessary to ensure full participation in the Program.

**Religious Holidays:** We will excuse the absence of students that result from religious observances and provide without penalty for the rescheduling of papers and any required class work that may fall on religious holidays.

**Schedule:** The class schedule is subject to change.  You are responsible for taking note of changes announced during class.