Thinking As a Lawyer: A Training Course on Legal Reasoning

8 – 12 February 2027
Vienna

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Thinking As a Lawyer: A Training Course on Legal Reasoning

Ref: 36293_22018 **Date:** 8 – 12 February 2027 **Location:** Vienna **Fees:** 5700 Euro

Course Overview

The course is a complete program designed to equip participants with the critical thinking and analytical skills essential for effective legal reasoning. This course delves into the intricacies of legal rules, the practice of legal precedent, and the interpretation of statutes, providing a robust foundation for understanding and applying legal concepts. Participants will explore the generality and formality of legal rules, the nature, and evolution of common law, and the challenges posed by legal realism. Through engaging lectures, case studies, and interactive sessions, attendees will learn to identify and distinguish between precedents and analogies, navigate the complexities of judicial opinions, and understand the burden of proof and decision-making responsibilities in law. This course stands out by offering practical insights and real-world applications, making it an invaluable resource for legal professionals seeking to enhance their legal reasoning skills.

Target Audience

- Lawyers
- Legal Analysts
- Paralegals
- Judges
- Legal Scholars
- Corporate Legal Advisors
- Compliance Officers
- Government Legal Departments
- Legal Consultants

Targeted Organizational Departments

- Legal Departments
- Compliance Departments
- Corporate Legal Teams
- Government Legal Agencies
- Judicial Departments
- Law Firms

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Targeted Industries

- Legal Services
- Corporate Law
- Government and Public Sector
- Compliance and Regulatory Affairs
- Judicial and Court Systems
- Education and Legal Academia

Course Offerings

By the end of this course, participants will be able to:

- Analyze and interpret legal rules and precedents.
- Apply core and fringe legal rules effectively.
- Distinguish between binding and persuasive authority.
- Utilize legal reasoning analogies in complex cases.
- Understand the nature and evolution of common law.
- Navigate statutory interpretation and judicial opinions.
- Apply the burden of proof and manage decision-making responsibilities in legal contexts.

Training Methodology

The training methodology includes a blend of interactive lectures, case studies, group discussions, and hands-on exercises. Participants will engage in practical scenarios to apply legal rules and precedents, analyze judicial opinions, and develop analogical reasoning skills. Feedback sessions will provide opportunities for reflection and improvement. This approach ensures a deep understanding of legal reasoning concepts and their practical application in real-world situations.

Course Toolbox

- complete workbooks on legal reasoning and rules.
- Case study materials and legal precedents.
- Checklists and templates for statutory interpretation.

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Course Agenda

Day 1: Foundations of Legal Reasoning

- **Topic 1:** Introduction: Is There Legal Reasoning?
- **Topic 2:** Rules—in Law and Elsewhere
- **Topic 3:** Of Rules in General
- **Topic 4:** The Core and the Fringe
- **Topic 5:** The Generality of Rules
- **Topic 6:** The Formality of Law
- **Reflection & Review:** Reflect on the fundamental concepts of legal reasoning and review key points.

Day 2: Precedents and Legal Authority

- **Topic 1:** The Practice and Problems of Precedent
- **Topic 2:** Precedent in Two Directions
- **Topic 3:** Precedent—The Basic Concept
- **Topic 4:** On Identifying a Precedent
- **Topic 5:** Of Holdings and Dicta
- **Topic 6:** On the Force of Precedent—Overruling, Distinguishing, and Other Types of Avoidance
- **Reflection & Review:** Reflect on the importance of precedents and their application in legal reasoning.

Day 3: Authority and Analogical Reasoning

- **Topic 1:** The Idea of Authority
- **Topic 2:** On Binding and So-Called Persuasive Authority
- **Topic 3:** Why Real Authority Need Not Be “Binding”
- **Topic 4:** Can There Be Prohibited Authorities?
- **Topic 5:** How Do Authorities Become Authoritative?
- **Topic 6:** On Distinguishing Precedent from Analogy
- **Reflection & Review:** Reflect on different types of authority in law and the use of analogical reasoning.

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Day 4: Common Law and Legal Realism

- **Topic 1:** The Idea of the Common Law
- **Topic 2:** On the Nature of the Common Law
- **Topic 3:** How Does the Common Law Change?
- **Topic 4:** Is the Common Law Law dog law?
- **Topic 5:** A Short Tour of the Realm of Equity
- **Topic 6:** The Challenge of Legal Realism
- **Reflection & Review:** Reflect on the principles of common law and the challenges posed by legal realism.

Day 5: Statutory Interpretation and Judicial Opinions

- **Topic 1:** Statutory Interpretation in the Regulatory State
- **Topic 2:** The Role of the Text
- **Topic 3:** When the Text Provides No Answer
- **Topic 4:** When the Text Provides a Bad Answer
- **Topic 5:** The Canons of Statutory Construction
- **Topic 6:** The Judicial Opinion
- **Reflection & Review:** Reflect on the processes of statutory interpretation and the significance of judicial opinions.

How This Course is Different from Other Legal Reasoning Courses

This course distinguishes itself through its complete approach, blending theoretical knowledge with practical application. Unlike other courses that may focus solely on legal theory, this course emphasizes the real-world application of legal reasoning, statutory interpretation, and precedent analysis. Participants will benefit from interactive sessions, case studies, and practical exercises designed to enhance their critical thinking and analytical skills. By addressing the latest trends and challenges in legal practice, this course ensures that attendees are well-equipped to navigate the complexities of the legal landscape, making it an essential resource for legal professionals seeking to advance their careers.