

STEPS TO ADVOCACY

Link LL.B with Practice

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STEPS TO ADVOCACY

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PART: I - INITIAL PHASE OF ADVOCACY

CHAPTER - I ROOT & SEEDS OF ADVOCACY



Initial Phase of Advocacy

FOUNDATION OF THE PROFESSION

Introduction: The Foundation of the Profession Believe me, if Judicial Service is one side of the coin, then Advocacy is the other. This is what we are starting today. To learn something, to understand something, we must calm our minds and focus.

We will begin with a verse (Shloka) that lays the foundation of this legal profession: "Yada yada hi dharmasya glanirbhavati Bharata... Abhyutthanamadharmasya tadatmanam srijamyaham." (Whenever there is a decline in righteousness and an increase in unrighteousness, O Arjuna, at that time I manifest myself.) "Paritranaya sadhunam vinashaya cha dushkritam. Dharma-samsthapanarthaya sambhavami yuge yuge." (For the protection of the good, for the destruction of the wicked, and for the establishment of righteousness, I am born in every age.)

The profession you are connected with is also a unique dilemma between Dharma (righteousness) and Adharma (unrighteousness). What does your profession do? It proves one side right and the other wrong. Keep in mind, advocacy is the only profession in the world that embodies these words spoken by Lord Krishna.

1. **Real vs. Reel:** Breaking the Myths The first lesson of life, especially in this legal profession, is to get out of "Artificial Advocacy." Everything shown in movies has nothing to do with reality. Remember "Tareekh pe Tareekh" (Date after date)? That does not happen in court. I am going to talk to you about everything here—whether theoretical or practical, sweet or bitter.

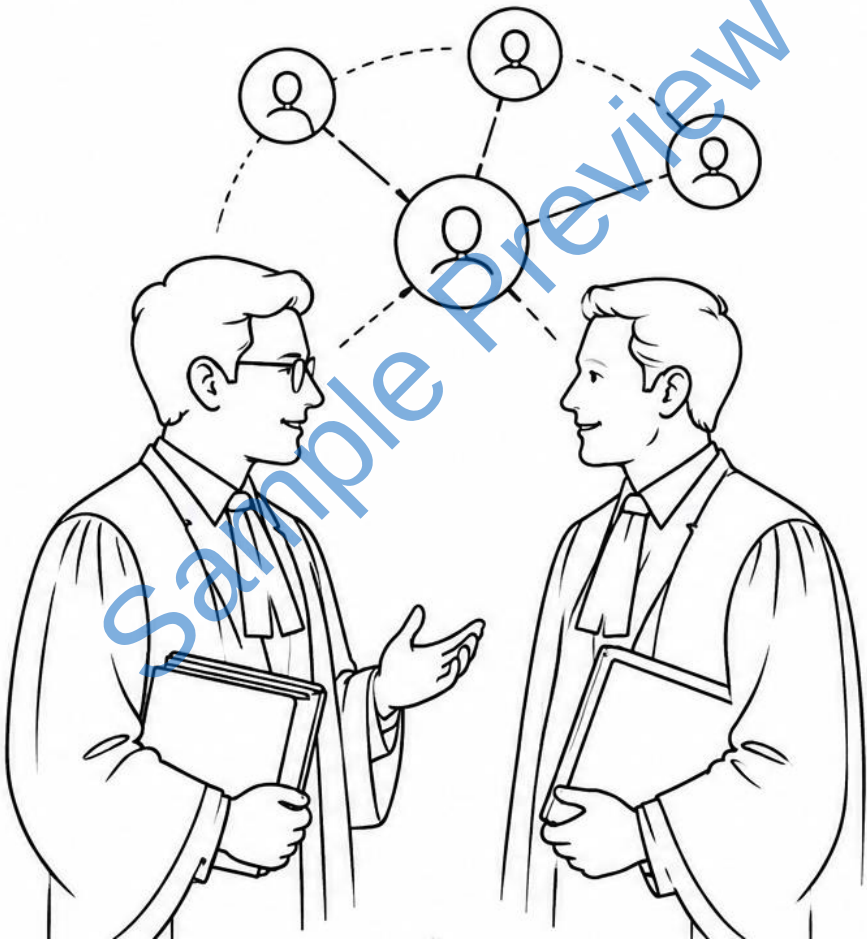
If I give you a filmy example—like a scene with Govinda where he claims he doesn't lie. In that movie, there was an 80-year-old eyewitness. The question was, "Why didn't you save the victim?" The old man said, "I am old; how could I jump a 4-foot wall?" Govinda then set a fire, and the old man jumped to the judge! That is all filmy drama. Who is a real eyewitness? An eyewitness is someone who sees a crime with their own eyes, hears with their own ears, senses it with their senses, and gives testimony regarding their factual knowledge in court. These are the four elements that define an eyewitness.

2. **The Reality of Legal Practice** A lawyer's learning time is from 7:00 PM to 2:00 AM. This is when they prepare the case for the next day. Our workplace is the Court, where there is a crowd of lawyers. The judge is the presiding officer of that court, and no one has the right to be disrespectful there. The client is also present, watching to see if their lawyer is representing them correctly.

Remove the illusion that there is a difference between "theoretical" and "practical" knowledge. That is a lie. Practice is born from theory.

CHAPTER – 2

NETWORK OF ADVOCACY



Initial Phase of Advocacy

I. Mobile Number

1. **The Power of Networking & Contact Management** I am going to teach you something practical that you will never forget. We cannot survive without contacts. The game is about identifying which contact is effective and which is useless.
 - The Golden Rule: "You have to get your number saved in other people's mobiles."
2. **Professional Boundaries (Especially for Female Candidates)** Many female candidates (and even general people) fear sharing numbers because of unwanted calls or messages.
 - The Two-SIM Strategy: Keep two numbers—one personal and one professional.
 - WhatsApp Setup: Run two WhatsApp accounts (personal and business). Do not share the personal number.
 - The Profile Picture Hack: On your professional WhatsApp, set a profile picture where you are in a lawyer's uniform or standing on court premises.
 - The Result: When someone sees you are a female advocate standing with seniors or in court, 80% of the "nuisance" calls or flirting attempts will stop immediately. Your professional image acts as a shield.
3. **The Art of Exchanging Numbers (The "Switching" Mindset)** A lawyer's mind must be like a switch—moving instantly from one topic to another. When you meet someone at an event or take a selfie, how do you exchange numbers so they remember you?
The Wrong Way: Most people dial the number, ring it, and say, "Sir, this is my number." This is outdated and unprofessional.
The Three Methods of Exchanging Numbers:
 - Method 1: Dictation (The Weakest Method) You open the keypad, and they speak the number.
Problem: Noise pollution. You might hear '7' instead of '4'. Also, the person might not be comfortable speaking their number aloud in public.
 - Method 2: Handing Over the Phone (Better) You open your keypad and hand the phone to them to type it.
Benefit: It solves the noise issue and the privacy risk. They can type it discreetly.
 - Method 3: The "WhatsApp Loop" (The Smartest Method) This is the "Mentos Life" strategy.
 1. Open WhatsApp on your phone.
 2. Open a chat window with your own secondary number (or a family member).

CHAPTER – 23

CLIENT HANDLING



Client Perspective (Monetization of Advocacy)

Introduction: The Psychology of the Legal Client

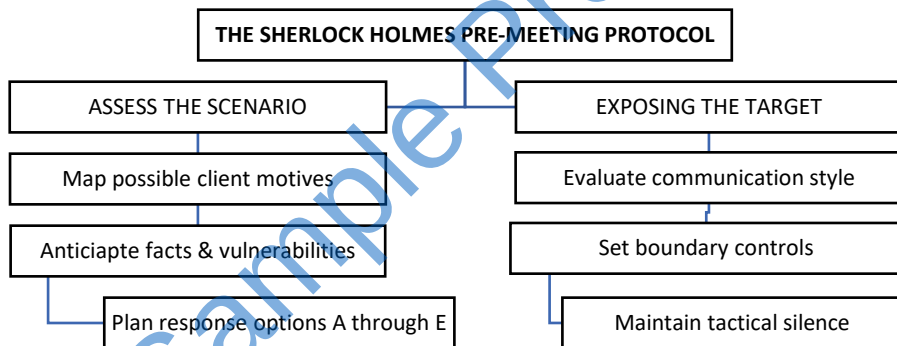
A successful legal practice is built on trust, authority, and psychology. When a client approaches an advocate, they bring not only legal facts but also emotional baggage, anxiety, and hidden motives.

During the initial interaction, an advocate must immediately evaluate the client's psychology, behavior, and body language:

- **Overly Friendly Behavior:** If a client becomes overly familiar too quickly, it often indicates they lack seriousness, do not respect professional boundaries, or expect free legal services.
- **Guarded / Reticent Behavior:** If a client holds back key information or avoids direct questions, there is usually a vulnerability, an adverse fact, or a legal liability they are attempting to hide.

Your immediate objective in the first meeting is to establish professional authority while making the client feel comfortable enough to disclose the complete, unvarnished facts.

The Sherlock Holmes Principle: Mental Pre-Planning

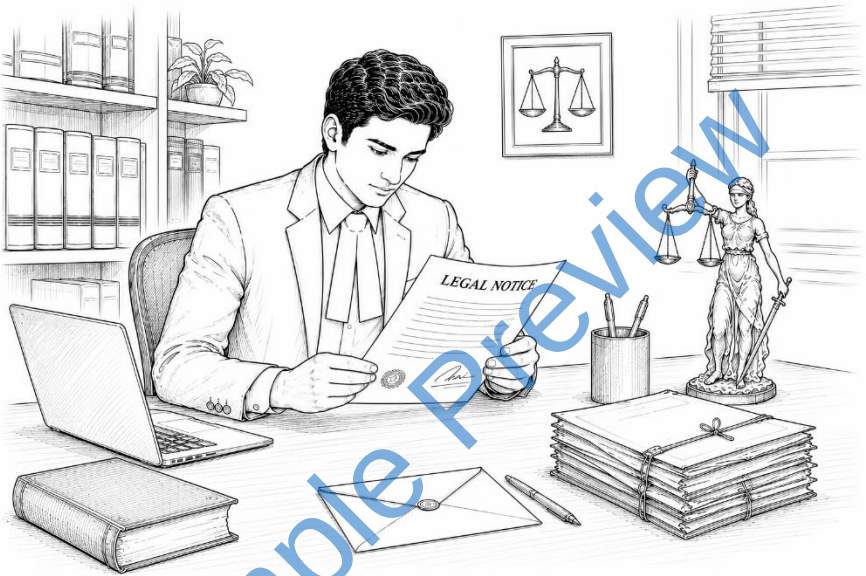


In the movie *Sherlock Holmes*, before striking an opponent, Holmes mentally visualizes the entire fight sequence—calculating angles, predicting reactions, and executing the plan step-by-step.

As an advocate, you must apply this mental pre-planning principle to every client call, message, and meeting:

- Before picking up the phone or responding to a query, anticipate what the client wants, where their narrative might be flawed, and how you will steer the conversation.
- Never enter a consultation unprepared; script your boundaries, control the dialogue, and anticipate the client's moves before they execute them.

CHAPTER – 47 LEGAL NOTICES



Drafting Skill

2. **The Liquidated Demand (The Math) Ambiguity in money recovery is fatal to a suit.**

- Principal vs. Interest: Always break the total down. Clearly state the principal amount and the interest accrued (as per the contract or prevailing market rates).
- Total Claim: The final bolded figure should be the absolute total the debtor owes.

3. **The "Notice Period" (The Reasonable Window)**

- The 15-Day Standard: You must give the recipient a "reasonable time" to respond. In Indian civil practice, 15 days is the gold standard. It demonstrates to the Court that your client acted in good faith and gave the debtor an opportunity to avoid litigation.

4. **The Cause of Action (The Legal Trigger)**

- The Breach: You must state how they broke the law or the contract. "Your failure to pay despite the expiry of the credit period constitutes a breach of contract."
- The Threat of Litigation: You must clearly state your next steps. The warning must be unequivocal: "If you fail to pay, we will initiate civil recovery proceedings at your cost and risk."

5. **The Evidentiary Weight (The "Proof of Service")**

- Registered Post A.D. (Acknowledgement Due): This is the single most important procedural point. In court, you cannot merely claim you sent a notice; you must prove the defendant received it. The signed A.D. card is the only document the court accepts as "Service of Notice."

6. **The Advocate's Authority (The Professional Seal)**

- **Vakalatnama/Instruction:** The notice should explicitly state that it is sent "Under instructions from and on behalf of my client."
- **The "Retained Copy" Clause:** Always add a closing line: "A copy of this notice is retained in my office for future record." This confirms that the document is part of your professional case file and can be produced in court as evidence of pre-litigation correspondence.

Advocate's Secret: Never use aggressive or abusive language in a legal notice. A calm, professional, and fact-heavy notice is much more intimidating to a debtor than a letter full of angry threats. A polite notice makes the sender look like a serious litigant, while an angry notice makes the sender look like they are acting out of pure emotion.