

專題報告二之一：辯論技巧

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- 1 戰鬥技巧——單一議題 (issue) 的辯論
 - 1.1 論證的三大要素：根據 推論 主張
 - 1.2 論證
 - 1.2.1 歸類論證
 - 1.2.2 舉例論證
 - 1.2.3 類比論證
 - 1.2.4 因果論證
 - 1.2.5 跡象論證
 - 1.2.6 權威論證
- 2 戰略技巧——整體辯案 (case) 的架構
 - 2.1 推定 (presumption) 與舉證責任 (burden of proof)
 - 2.2 事實問題
 - 2.3 法律問題
- 3 攻防技巧——雙方議題與辯案的交鋒
 - 3.1 攻擊的三種策略 (怎樣對付對方的主張?)
 - 3.1.1 不理
 - 3.1.2 同意
 - 3.1.3 進攻
 - 3.2 防禦的三種策略 (怎樣對付對方的攻擊?)
 - 3.2.1 如果對方不理
 - 3.2.2 如果對方同意
 - 3.2.3 如果對方進攻

專題報告二之二：法律文件寫作

報告人：陳國慈資深副總經理暨法務長(台灣積體電路公司)

- I. Principle: You speak (write) in order to be heard (understood)
- II. Purpose: To communicate & persuade.
- III. Lawyer's Role: Represent one side only because clear conflict of interest.
- IV. Key Objectives (in order of priority):
 1. Clarity
 2. Precision
 3. Simplicity
- V. Methodology:
 1. Know how to use standard forms.
 2. Read your own writing with "different" eyes.
 3. Have objective person read your writing.
 4. Do not get lazy with unitary contracts.
- VI. Reminder: Legal documents are only tested when read by people who did not participate in the writing process, and therefore not familiar with background e.g. judge, lawyer, expert.

