

**LAWYERING SKILLS AND STRATEGIES I (SECTION B1)**  
**FALL 2012**

Whitney Werich Heard  
Telephone: 713-743-0910

Email: wwheard@central.uh.edu  
Office: 11C Bates Law Building (BLB)

**Course Objectives**

Lawyering Skills and Strategies I will focus on an introduction to the American legal system and the underlying skills and strategies lawyers must possess to succeed within it. By working through problems inside and outside of the classroom, you will learn to identify legal issues; gather initial facts from the client; locate and assess the governing law; analyze legal issues within the context of particular fact patterns; cite to the governing law; and write clear and concise documents that communicate your legal analysis or address the client's transactional needs. And, in all matters, you will be expected to uphold the ethical and professional standards of a lawyer-in-training.

**Required Course Materials**

You are required to purchase the following textbooks for use in this course:

- Legal Writing and Analysis (3d Edition), written by Linda H. Edwards;
- Basic Legal Research: Tools and Strategies (5th Edition), written by Amy Sloan;
- Drafting Contracts: How and Why Lawyers Do What They Do (1st Edition), written by Tina L. Stark;
- The Bluebook: A Uniform System of Citation (19th Edition);
- Interactive Citation Workbook for The Bluebook: A Uniform System of Citation (2012 Edition), written by Tracy L. McGaugh & Christine Hurt; and
- The Greenbook: Texas Rules of Form (12th Edition), published by the Texas Law Review.

**Attendance**

The course is scheduled to meet on Thursdays from 9:00 a.m. until 10:30 a.m. in Room 240-TUII and on Fridays from 12:00 p.m. until 1:30 p.m. in Room 144-TUII. Please note that certain class periods will be added and/or combined. Any changes to the regularly scheduled meeting time and location for the course will be reflected on the syllabus and/or announced via email.

Attendance is mandatory. Attendance will be taken during each class session and individual conference. It is your obligation to ensure that you are counted present. In accordance with the University of Houston Law Center's attendance policy, you may miss no more than five scheduled class sessions during the semester. Thus, on your sixth absence, I will send you to Dean Tennessee (the Associate Dean for Student Services) where the matter of dismissal will be taken under advisement. I reserve the right to count you as absent if you (1) are not in the classroom, or other specified location, ten minutes after the class or conference has begun or (2) fail to consult with a tutor in the Legal Writing Center after I have instructed you to do so.

**Conferences**

You must attend at least one conference with me this semester. Between October 29, 2012, and November 9, 2012, I will be scheduling individual conferences to discuss the Graded Predictive Memorandum. And, between November 12, 2012, and November 30, 2012, I will be scheduling individual conferences to discuss the Graded Contract.

If you need to reschedule your conference, please contact me before the originally scheduled conference time. Otherwise, your failure to appear for the scheduled conference will be counted as an absence, and you will not be allowed to reschedule.

### **Class Preparedness and Participation**

You are expected to complete the assigned readings and ungraded exercises before coming to class. I reserve the right to lower your course grade up to a maximum of two grade levels (e.g., from a B+ to a B-) if you habitually fail to prepare for class, participate actively in class, or perform satisfactorily on quizzes. I also reserve the right to lower your course grade up to a maximum of two grade levels if you fail to submit all of your ungraded exercises or complete all of your ICW Problems before the last day of classes on December 8, 2012.

### **Office Hours**

If you have any questions about the course, please ask me. I will have office hours on Tuesdays from 2:30 p.m. until 3:30 p.m., on Thursdays from 1:00 p.m. until 2:30 p.m., and by appointment. My office is located adjacent to the Legal Research and Writing Suite in Room 11C-BLB. Any changes to the regularly scheduled office hours will be announced via email.

### **Legal Writing Center**

You may obtain free individual tutoring at the Legal Writing Center (“Center”). The Center is located adjacent to the Legal Research and Writing Suite in Room 14D-BLB. Several outstanding third-year law students staff the Center. They are able to help you with legal writing, legal research, and citation issues as well as style and usage questions. You may schedule an appointment with a tutor by emailing [C\\_LawLegalWritingCenter@central.uh.edu](mailto:C_LawLegalWritingCenter@central.uh.edu) or calling 713-743-0759. Walk-ins are also welcome. At my discretion, I may require you to visit the Center for additional assistance. If I require you to visit the Center and you fail to do so, that failure will be counted as an absence.

### **LexisNexis and Westlaw Training**

Online legal research is an important component of this course. You will be given passwords for both LexisNexis and Westlaw– the two leading commercial providers of online legal research. Representatives from LexisNexis and Westlaw will offer optional training sessions outside of class throughout the semester. I encourage you to attend the group sessions and schedule individual sessions to advance your online legal research skills.

### **Course Webpage**

We will be using a course webpage maintained by The West Education Network (TWEN). The URL is <http://lawschool.westlaw.com/twen/> and you need your Westlaw password to access the webpage. After you register your Westlaw password, sign on to TWEN and add this course webpage. The course webpage is named Lawyering Skills and Strategies I (Section B1).

On the “Syllabus” page, I will post a copy of the syllabus and course information sheet. In the “Handouts” folder, you will find supplemental readings and instruction sheets. And, on the “Course Materials” page, I will post the power point presentations that we cover in class. You will use the “Sign-Up Sheets” page to schedule at least one individual conference with me this semester.

You need to check the course webpage regularly because I will assume that you are aware of the material I post on it and I will not spend class-time repeating what you should already know.

### **Quizzes, Ungraded Exercises, and ICW Problems**

#### **Quizzes**

From time to time during the semester and without prior warning, I may give quizzes to test your comprehension of the material. These quizzes may be in the form of written questions during class or an interactive quiz accessed on the computer. The habitual failure to perform satisfactorily on such quizzes may result in a lowering of your course grade by two grade levels.

### **Ungraded Exercises**

Throughout the semester, I will assign a number of ungraded exercises which you must complete to my satisfaction. Any work that in my discretion does not reflect a good faith effort will have to be redone or rewritten to an acceptable standard within a prescribed time. A hard copy of all exercises should be submitted at the beginning of the class on the due date, unless otherwise stated. Be sure to retain a copy of your ungraded exercises. The failure to submit all ungraded exercises by the last day of classes this semester may result in the lowering of your course grade by two grade levels.

### **ICW Problems**

To practice your citation skills, you must complete the Interactive Citation Workstation (ICW) Problems located at <http://www.lexisnexis.com/icw/> as assigned in the syllabus. Be sure you do the Bluebook exercises, not the ALWD exercises. ICW Problems must be completed by the beginning of the class on the due date. Please email your results to me at [wwheard@central.uh.edu](mailto:wwheard@central.uh.edu). I also urge you to print a hard copy of the Completion Certificate for your records. If you experience any technical difficulties accessing or completing the problems, contact me or LexisNexis for assistance. The failure to complete all ICW Problems by the last day of classes this semester may result in a lowering of your course grade by two grade levels.

### **Graded Assignments**

The following assignments will be graded and constitute the baseline for your grade for this course, subject to adjustments identified in this Course Information Sheet:

- **Legal Citation Exam (20%)–Given at 9:00 a.m. on Monday, October 29, 2012.**
- **Graded Predictive Memorandum (50%)–Due by 9:00 a.m. on Monday, November 12, 2012.**
- **Graded Contract (30%)–Due by 9:00 a.m. on Monday, December 3, 2012.**

One of the skills you need to master is how to budget and manage your time. If your Memorandum is more than fifteen minutes late, I may deduct 5% of the total points (2.5 points) for the first hour (or part of the hour) that the assignment is late. If your Contract is more than fifteen minutes late, I may deduct 5% of the total points (1.5 points) for the first hour (or part of the hour) that the assignment is late. After the first hour, I may deduct an additional 5% of the total points for every hour that the assignment is late. If your Memorandum or Contract is submitted after 5:00 p.m. on the due date, I will not accept it, and your course grade will be an “F.” Additionally, if you do not sit for the Legal Citation Exam, you will receive an “F” in this course. If you receive an “F” in Lawyering Skills and Strategies I, you will be required to repeat the course.

If you are unable to complete a graded assignment by the due date or if you are unable to sit for the Legal Citation Exam when it is scheduled, you must contact me before the due date or exam date to seek an extension. I will consider extensions for true emergencies only. Be advised: computer problems, including printer problems, as well as routine illnesses do not constitute true emergencies.

Please note that the Law Center uses a blind-grading system to ensure fairness in grading. You will be assigned an exam number this semester to use instead of your name on the Exam, Memorandum, and Contract. Your name should not appear anywhere in your Exam, Memorandum, or Contract, and you should not share your exam number with me before the release of final grades.

### **Curve**

The Law Center uses a grading curve and a mandatory distribution for this course. The average grade in each section must be between 2.8 and 3.2.

### **Formatting Requirements**

Except for ICW Problems, all exercises and assignments you submit must conform to these specifications:

- Use Times New Roman, 12-point type, on white letter-size (8 ½” x 11”) paper.
- Double space each assignment.
- Use one-inch margins on all sides.
- Place page numbers in the bottom center of each page, starting on the second page.
- Staple your paper in top left corner.
- Adhere to all other requirements stated in the instruction sheet.

### **Honor Code**

The Honor Code applies to this class. Students are responsible for complying with it and for knowing its provisions. The UHLC Honor Code is found at <http://www.law.uh.edu/student/HONORCODE.pdf>. Questions regarding how the Honor Code’s provisions apply to specific activities may be directed to me.

### **Computer Use and Other Disruptions**

In accordance with the University of Houston Law Center’s computer use policy, located at <http://www.law.uh.edu/student/Handbook.pdf>, I prohibit computer use in the classroom for anything other than completing activities as directed, taking notes, or accessing course materials. Also, to avoid disrupting the class, please turn off all cell phones and similar devices, unless I have given you permission.