

Lawyering Skills & Strategies

Professor Tobi Tabor

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University of Houston Law Center

15E BLB (Bates Law Building)

Office Hours: Monday: 2:30-4:00; Thursday: 1:00-2:30

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Classes:

Section A3: Wed. 2:30-4:00 p.m.; Fri. 9:00-10:30 a.m.

Section B4: Wed. 9:00-10:30 a.m.; Fri. 12:00-1:30 p.m.

FIRST AMENDED FALL 2013 SYLLABUS

Meeting Date	Topic	In-class Information/Handouts	Class Preparation & Assignment(s) Due
Week 1 Class 1 August 28	Identification & Assessment of legal source materials	Hand out 1) <i>Sabine Pilot and O'Bryant</i> & assignment sheet; 2) LSS Student Survey.	Read Linda H. Edwards, <i>Legal Writing and Analysis</i> 3-28: "Overview of Lawyer's Role," and "The Legal System, Common Law Process, and Kinds of Authority." Due in <i>Legal Writing and Analysis</i> , typed answer to Ex. 2-2, p. 21 based on <i>Lucy v. Zehmer</i> , 84 S.E.2d 516 (Va. 1954), pick up hand-out of edited version in Lawyering Skills & Strategies, 15 BLB, Aug. 19, 2013 (a less complete version is in the text at 343-45; use the hand-out). Be prepared to discuss and hand in your answer.
Week 1 Class 2 August 30	Introduction to Legal Research: Secondary Sources; Primary Sources. Legal problem solving & strategic thinking; Legal analysis--rules	Hand out library research assignment	Read: <i>Legal Writing and Analysis</i> 31-41: "Briefing and Synthesizing Cases." Due: Completed LSS Survey

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Week 2 Class 3 September 4	Legal problem solving & strategic thinking; Legal analysis—Cases Synthesis: Rule formulation from cases	Hand out Wyoming at-will assignment.	Read: Edwards, <i>Legal Writing and Analysis</i> 55-77: “Forms of Legal Reasoning,” and “The Writing Process and Law-Trained Readers.” Due: 1) Library research assignment (You may work with a partner and turn in one paper with both names). 2) Typed answers for <i>Sabine Pilot & O’Bryant</i>.
Week 2 Class 4 September 6	Legal problem solving & strategic thinking; Legal analysis--Cases		Register online for Lexis, Westlaw, and Bloomberg before class on Sept. 20.
Week 3 Class 5 September 11	Legal problem solving & strategic thinking; Legal analysis--Statutes; Rules of Statutes		Read: Edwards, <i>Legal Writing and Analysis</i> 45-53: “Interpreting Statutes.”
Week 3 Class 6 September 13	Legal problem solving & strategic thinking; Synthesis: Rule formulation—statutes & cases	Hand out Statutes & regulations research exercises (Some of these may require time in the library. You may work with a partner and turn in one paper with both names).	Read: Edwards, <i>Legal Writing and Analysis</i> 79-88: “Large-Scale Organization: Creating Annotated Outline.” Due: Rule synthesis assignment (Wyoming employment at will)
Week 4 Class 7 September 18	Legal writing in litigation context: CREAC; Explaining the Rule Application/Analysis	Hand out Dram Shop Liability Assignment	Read: Edwards, <i>Legal Writing and Analysis</i> 91-109: Small-scale Organization: “Explaining the Law” and “Applying the Law.”
Week 4 Class 8 September 20	Electronic research		Read & Bring Dram Shop Liability assignment to class. Bring laptop and Lexis, Westlaw, and Bloomberg registration cards to class. Due: Statutes & regulations research exercises.

No LSS classes

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Week 5 Class 9 September 25	Application/Analysis	Hand out O'Connor packet.	Bring Dram Shop Liability assignment & research results to class. Bring laptop to class.
Week 5 Class 10 September 27	Electronic research	Hand out Ungraded non-compete clause problem.	Read & Bring O'Connor packet to class. Bring laptop and Lexis, Westlaw, and Bloomberg registration cards to class.
Week 6 Class 11 October 2	Establishing attorney-client relationship— (Class 11) client interview		Bring to class: Dram Shop Liability packet & your prepared Interview notes for 3 witnesses.
Week 6 October 4	Establishing attorney-client relationship—(Class 12) client communication		Read: 1) Kamela Bridges & Wayne Scheiss, <i>Writing for Litigation</i> 1-9, 51-64, 167-69 (sample client letter); 2) Edwards, <i>Legal Writing and Analysis</i> 147-59: "Writing Professional Letters." Review & Bring to class: O'Connor packet, research results, and laptop.
Week 7 Class 13 October 9	Transactional Drafting	Both sections will meet together for two classes this day, the first from 9:00-10:20 and the second from 2:30-3: 50. This will substitute for classes on Friday, Oct. 11, when you will not have LSS class.	Read: Stark, <i>Drafting Contracts</i> , Ch. 1-6, 8, & 9, p. 3-34, 37-66, 95-119. Due: Ungraded non-compete clause problem-- at beginning of 9:00 a.m. class.
Week 7 Class 14 October 11	No class today, but completing the reading assignment will keep you up-to-date with necessary information for transactional drafting.	By email: graded closed research analysis problem (20%). <u>Submission when due will require Fall 2013 exam number.</u>	Read: Stark, <i>Drafting Contracts</i> , Ch. 10-14, p. 125-54. Due: ICW Exercise 1 <u>No LSS class today. Both sections meet for this class on Wednesday, Oct. 9 at 2:30.</u>

Meeting Date	Topic	In-class Information/Handouts	Class Preparation & Assignment(s) Due
Week 8 Class 15 October 16	Transactional Drafting		Read: Stark, <i>Drafting Contracts</i> , <u>Ch. 15-17</u> , p. 157-96.
Week 8 Class 16 October 18	Ethics in Transactional Drafting Legal Strategies: Contract Negotiation		Read: Stark, <i>Drafting Contracts</i> , <u>Ch. 25, 26, 27, 28, & 30</u> , p. 303-53, 371-80.
Week 9 Class 17 October 23	Legal Citation		Read: <i>ICW for the Bluebook (ICW)</i> , pp vii-viii, and <u>Ch. 1</u> , p. 1-6. Bring laptop, ICW, Greenbook & Bluebook to class.
Week 9 Class 18 October 25	Legal Strategies: Contract Negotiation Stephen McCleery & Tasha Willis—Coal Contract	Hand out graded contract problem.	Read: Bridges & Scheiss, <i>Writing for Litigation</i> 83-92, 183-84 (Sample Opposing Counsel Letter). Both classes will meet together from 12:00-1:20 in room 240 BLB (our regular classroom). There will be no LSS class 9:00-10:20 this day.
Friday October 25	Due: Graded closed research analysis problem (20%). <u>You must submit this without your name and with your Fall 2013 exam number.</u>		<u>Due by 4:00 p.m. in LSS Office</u>—give it to the LSS secretary or another professor, not to me. Do not email it to me.

Meeting Date	Topic	In-class Information/Handouts	Class Preparation & Assignment(s) Due
Week 10 Class 19 October 30	Informational Legal Writing: Questions Presented and Brief Answers, Statement of Facts, organization		Read: 1) Edwards, <i>Legal Writing and Analysis</i> 111-45: “Discussing Multiple Issues: Putting it all together,” “Deepening Your Analysis,” and “Writing an Office Memo”; 2) <i>ICW</i> Ch. 2-3, p.11-16, 21-25 Bring laptop to class. Due: <i>ICW</i> Exercises 2 & 3
Week 10 Class 20 November 1	Informational Legal Writing Statement of Facts Organizational Schemes Common in Legal Analysis		Read <i>ICW</i> p. 29-34,39-42 Due: <i>ICW</i> Exercise 4 & 5 Bring laptop to class.
Week 11 Class 21 November 6	Informational Legal Writing Opposing Arguments, Case Selection	Hand out graded open research legal analysis problem. <u>You must submit this without your name and with your Fall 2013 exam number.</u>	Read <i>ICW</i> p. 47-65 Due: <i>ICW</i> Exercises 6, 7, 8
Week 11 Class 22 November 8	Citation; Editing, Proofreading Professionalism		Read <i>ICW</i> p. 75-82, 87-91 Bring Bluebook and Green Book to class. Due: <i>ICW</i> Exercises 10, 11
Friday November 8	Due: graded contract problem (25%). <u>You must submit this without your name and with your Fall 2013 exam number.</u>		<u>Due by 4:00 p.m. in LSS Office</u>—give it to the LSS secretary or another professor, not to me. Do not email it to me.

Meeting Date	Topic	In-class Information/Handouts	Class Preparation & Assignment(s) Due
Week 12 November 12, 13, 14, 15 Tues., Wed., Thurs., Fri.	Professionalism in law office –individual conferences to report to assigning attorney about coverage of issues assigned. No LSS class on Wednesday or Friday this week—conferences instead. Conferences are not mandatory.		You will need notes for presentation to the supervising partner to explain & support your legal analysis on the open research legal analysis problem. <u>Dress professionally.</u>
Week 13 Class 25 November 20	Last LSS class this semester: Citation Proofreading & editing informational legal writing Ethics in informational legal writing & Avoiding Plagiarism		Read: ICW p. 129-30 Due: ICW Exercise 16 Bring <i>Green Book</i> & <i>Bluebook</i> to class.
Week 13 November 19, 21, 22 Tues., Thurs., Fri.	Additional individual conferences to report to assigning attorney about coverage of issues assigned. Conferences are not mandatory.		Professional dress not required. Bring your questions and draft.

Meeting Date	Topic	In-class Information/Handouts	Class Preparation & Assignment(s) Due
Week 14 November 26	<u>No LSS class this week. This is Thanksgiving week. Holiday is Nov. 27-30. Due: Open research legal analysis on Tues., Nov. 26, by 10:00 a.m. in LSS Office—give it to the LSS secretary or another professor. Do not hand it to me.</u>		<u>Due Tuesday, November 26: Graded open research legal analysis problem. You must submit this without your name and with your Fall 2013 exam number.</u>
Saturday December 7	Last day of classes for semester		
December 10-19	Final exams for semester		

***** Please note that the syllabus may be modified as needed to achieve the course objectives*****

You do not need to do any exercises that appear in the assigned readings in the texts unless the exercises are specifically identified in the “Assignment(s) Due” column.

The final grade for this semester of Lawyering Skills & Strategies consists of the following:

1. Class Participation and preparation grade (5%);
2. Closed research legal analysis grade (20%);
3. Contract grade (25%);
4. Open research legal analysis grade (50%).

On the due dates specified for exercises in the Interactive Citation Workbook for The Bluebook (ICW) you must complete and submit proof of completion of the identified citation exercises: 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, and 16. Be sure you do the exercises for The Bluebook Uniform System of Citation, not those for the ALWD citation manual.

If ungraded assignments are turned in late, you may not receive written feedback. Also, you may be penalized by a grade reduction for class participation if ungraded assignments are not turned in at all—see item 1, final grade components, above.

You are required to attend a one-hour learning session for Westlaw, one for LexisNexis, and one for Bloomberg Research. The company representatives will schedule the sessions.

Consult Course Information for information about absences and other requirements for successfully completing the course.