

# **LAWYERING SKILLS AND STRATEGIES I**

**PROFESSOR LAUREN SIMPSON  
SECTIONS E-1 & E-2 • FALL 2014**

## **A. Words of Advice for LSS I**

Welcome to the Law Center and to my class! I have the two words of advice for my LSS students:

- Start early and get ahead on your reading for the fall. Start early on your assignments, too. The fall semester—being filled with the many basics of legal practice and, frankly, being just so new and different—gets very busy very quickly. So getting ahead of schedule will serve you well, especially as the semester progresses and exams approach. Do it if at all possible.
- The more effort that you put into this course, the more that you will get out of it. I strive to give each student detailed feedback on every assignment, graded or not. The more developed your submitted assignments are, the more commentary I can give on them, and the better they will serve as teaching tools tailored to your needs. I also provide optional assignments, available on my LSS I web course (maintained by The West Education Network, or “TWEN”), for students to sharpen their skills. I am happy to give feedback on any of these that you complete, so consider doing them if you can.

## **B. Course Objectives**

Lawyering Skills and Strategies I will focus on an introduction to the American legal system and the underlying skills and strategies that lawyers must possess to succeed within it. By working through fact-specific problems both inside and outside the classroom, students will learn to identify legal issues; to locate and to assess the governing law; to communicate with the client; to analyze legal issues within the context of particular fact patterns; to cite to the governing law; and to write clear and concise documents that reflect that legal analysis or that address the client’s transactional needs (in the form of a contract).

## **C. Office Hours and Contact Information**

If you have any questions about the course or class assignments, please feel free to ask me. I will have office hours on Mondays and Thursdays from 4:00 p.m. until 6:00 p.m. and by appointment. My office is located in Room 14C-BLB, adjacent to the Lawyering Skills and Strategies office suite. Any changes to the regularly scheduled office hours will be announced by email. My office phone is 713-743-2159, but I prefer for students to contact me through my office email, which is [ljsimpso@central.uh.edu](mailto:ljsimpso@central.uh.edu), or on my cell phone, the number for which

you will receive on the first day of class. Any changes to my regularly scheduled office hours will be announced by email and posted on the TWEN web course calendar.

### **D. Class Attendance and Absences**

This class is held on **Mondays and Thursdays from 7:30 p.m. to 9:00 p.m.** (classroom TBD). Any changes to the regularly scheduled meeting time and location for the class are reflected in the syllabus or will be announced by email and posted on the TWEN web course calendar.

In accordance with the Law Center attendance rules, you may miss no more than **three** scheduled classes or mandatory class activities. On the **fourth** absence, you must report to Dean Tennessee (the Associate Dean for Student Services), where the matter of dismissal will be taken under advisement. If you are not in the classroom or other specified location within 15 minutes after the class or presentation is scheduled to begin or if you come unprepared to participate, I reserve the right to count you absent.

### **E. Course Materials**

Following are the required texts for my class:

- Tracy L. McGaugh & Christine Hurt, *Interactive Citation Workbook for The Bluebook: A Uniform System of Citation* (2014 ed.) ["ICW"]
- *The Bluebook: A Uniform System of Citation* (19th ed. 2010) ["Bluebook"]
- *The Greenbook: Texas Rules of Form* (12th ed. 2010) ["Greenbook"]
- Christina Coughlin, John Malmud, & Sandy Patrick, *A Lawyer Writes: A Practical Guide to Legal Analysis* (2d ed. 2013) ["Coughlin"]
- Tina L. Stark, *Drafting Contracts: How & Why Lawyers Do What They Do* (2d ed. 2013) ["Stark"]
- Kamela Bridges & Wayne Scheiss, *Writing for Litigation* (1st ed. 2011) ["Bridges & Scheiss"]

Special notes:

- Unless otherwise instructed, please bring (1) your laptop to every class; (2) your Westlaw, Lexis, and Bloomberg Law passwords to every class; and (3) starting with Class 11, your copy of *The Bluebook* and ICW Workbook to every class.
- We will begin using *The Greenbook* in the spring semester.
- We will use all of the above-listed texts in the spring semester, as well, except for Stark. However, you will have Professor Chandler for contracts in the spring, and he uses the same Stark text. Therefore, you will want to retain all of your textbooks for the spring semester.

## F. Graded Assignments

Curve and Grade Distribution: UHLC requirements set the average of grades in this LSS class between 2.8 and 3.2. A mandatory grade distribution also applies to this class.

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

1. **Law-Firm Memorandum Assignment—(60% of grade) due Monday, November 10, 2014, at 6:00 p.m.**
2. **Contract-Drafting Assignment—(40% of grade) Monday, December 1, 2014, at 6:00 p.m.**

One of the skills you need to master in law school is how to budget and to manage your time. If your graded memorandum or contract is turned in after 6:14:59 p.m. on the due date, I may deduct the following points for each hour (or part of an hour) that the graded memorandum or contract is late:<sup>1</sup>

- *Graded law-firm memorandum assignment: 4 points*
- *Graded contract-drafting assignment: 3 points*

(Student grades for these assignments can be very close, so the loss of even a few points can make a significant difference in your curved grade.) *If your graded memorandum or contract is submitted after 11:59:59 p.m. on the due date, I will not accept it, and your LSS I course grade will be an "F."* If your final grade this semester is an F, you will be required to repeat this course.

If you are seriously ill or are otherwise unable to turn in your graded memorandum or contract on time, you must notify me in writing *prior to the due date* to seek an extension. *I will consider extensions for true emergencies only.* The following are non-exhaustive examples of things that do not constitute emergencies: computer problems (including, but not limited to, printer problems), internet problems, routine illnesses, and job-related matters. I include job-related matters as non-emergencies simply to be fair to all students because each of you carries a heavy work load at his or her job.

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<sup>1</sup> For example, a graded law-firm memorandum that is turned in after 6:14:59 p.m. but by or before 7:14:59 p.m. on the due date is subject to a 3-point deduction. A graded law-firm memorandum that is submitted after 7:14:59 p.m. on the due date is subject to a 6-point deduction: 3 points for the hour spanning from 6:15 p.m. to 7:14:59 p.m., and 3 more points for the hour starting at 7:15 p.m.

Please note that the Law Center uses a blind-grading system to ensure fairness in grading. Your name should not appear anywhere on any of your graded assignments. Instead, you will be assigned an exam number each semester. *You are responsible for obtaining your fall exam number before the first graded assignment (the law-firm memorandum) is due.*

### **G. Ungraded Assignments**

Writing Assignments: Throughout the semester, I will assign a number of ungraded writing assignments. The course syllabus and TWEN web course calendar indicate the time and date by which each assignment is due. Although I generally grant extensions requested in advance (provided that the extension is not for too long a period), *I reserve the right not to review or to give feedback on any ungraded assignment turned in late without my prior permission.* I will not deduct from your final grade if you do not complete one or more of the course's ungraded writing assignments. However, those who do not do these assignments will neither receive my feedback (which is extensive) nor get needed writing practice, both of which will place them at a *significant* disadvantage to those who have turned in their assignments.

Interactive Citation Workbook ("ICW") Exercises: To help you practice your Bluebook citation skills, I will assign certain ICW on-line citation exercises, which may be accessed at <http://www.lexisnexis.com/icw/>. *Be sure that you do the Bluebook exercises, not the ALWD exercises.* ICW Problems should be completed by the end of the day on the due date. Please email your ICW results to me at [ljsimpso@central.uh.edu](mailto:ljsimpso@central.uh.edu). If you experience any technical difficulties accessing or completing the problems, please contact me or LexisNexis for assistance.

I will not deduct from your final grade if you do not complete one or more ICW exercises. However, proper citation form is a component of the graded law-firm memorandum; it will be impossible to do well on that grading component (or to cite well enough for law practice and scholarly writing on a journal or law review, for that matter) if you do not practice legal citation. Moreover, throughout the semester, I use my students' ICW answers as a diagnostic tool, providing in-class citation practice on areas that are difficult for the majority of students. If students do not do the ICW exercises in a timely fashion, then I cannot see where they need help, and I cannot help them improve their citation skills. Therefore, all students should complete the ICW exercises in a timely fashion.

Class Preparedness and Participation: If you are unprepared for class or do not participate in class exercises, I reserve the right to reduce your final course grade up to a maximum of one grade level.

## H. Submission and Formatting Guidelines for Assignments

Except for citation exercises, your graded and ungraded assignments will be submitted through the TWEN web course, under the “Assignment Drop Box” specified for that assignment.<sup>2</sup> Unless otherwise specified, assignments submitted through the TWEN web course may be in WordPerfect, MSWord, or PDF format. *If the assignment is graded, you must obtain your fall 2014 semester student exam number (which you will use in lieu of your name because of UHLC’s blind-grading policy) before you may access the relevant TWEN web course Assignment Drop Box or submit your work product there.* All assignments that you submit must conform to these specifications:

1. Use Times New Roman or Courier 12-point type on white 8 ½ x 11 paper.
2. Double-space each assignment and use one-inch margins on all sides.
3. Place page numbers in the bottom center of each page (you may begin page-numbering on page two).
4. Staple your paper in the top, left corner (for hard-copy submissions only).
5. Print only on the front of each page, i.e., no double-sided submissions (for hard-copy submissions only).
6. Conform to all other requirements stated in the assignment sheet for each assignment.

## I. TWEN Web Course

The URL for TWEN is <http://lawschool.westlaw.com/twen/>. You need your Westlaw password (which you will receive in the first class) to access it. After you register your Westlaw password, please sign on to TWEN right away and register for my web course as soon as possible. My TWEN web course is named “**Lawyering Skills and Strategies I: Sections E-1 & E-2, Fall 2014,**” and the password for it will be given to you on the first day of class. Throughout the semester, I will post class information and useful materials on our TWEN web course on a regular basis, with an email notice’s being generated for most postings. Accordingly, please ensure that the email address that you use for the TWEN web course is one that you check regularly and that it remains current. You are responsible for reviewing any materials posted to, and the calendar for, our TWEN web course.

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<sup>2</sup> At the time that I distribute a graded assignment, I will always specify at least one alternative method of submission (e.g., hard-copy or email submission to an administrative assistant, to preserve your anonymity), should you experience technical difficulties that prevent your submitting your graded assignment through the TWEN web course. *Any such alternative submission method, however, is subject to the same deadlines as a TWEN submission.*

## **J. Honor Code**

The Honor Code applies to this class. *You are responsible for complying with the Honor Code and for knowing its provisions:* <http://www.law.uh.edu/student/HONORCODE.pdf>. Please ask me if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations.

## **K. Computer Use and Other Disruptions**

In accordance with the Law Center's computer-use policy, located at <http://www.law.uh.edu/student/Handbook.pdf>, I prohibit computer use in class for anything other than completing activities that I direct, taking notes, or accessing previous notes or materials for my class, unless otherwise directed by me. Similarly, to avoid disrupting the class, unless I give you permission, please turn off or silence your cell phone and similar devices and avoid talking with your colleagues during class except during in-class exercises. I also do not allow students to record my lectures in any fashion because I do not want students to feel inhibited in asking questions or in participating in class exercises.

## **L. Legal Writing Center**

You may obtain free, individual tutoring at the Legal Writing Center, located in room 14D BLB, just next door to the LSS suite and near my office. Several outstanding third-year law students staff the Center. They will be able to help you with basic grammar skills, proper English usage, and sentence and paragraph construction. The tutors will answer your questions on legal writing, research, and citation for ungraded assignments or in general – although they may not assist in any way with your graded assignments. You may schedule appointments with the Center's tutors by calling 713-743-0759 or by emailing the Center at [C\\_LawLegalWritingCenter@central.uh.edu](mailto:C_LawLegalWritingCenter@central.uh.edu). Walk-ins are also welcome.



Again, welcome to the University of Houston Law Center! I look forward to working with each of you during the 2014-2015 scholastic year.