

# Lawyering Skills and Strategies I

Professor Lauren Simpson

Sections E-1 & E-2 • Mon. & Thurs., 7:30-9:00 p.m.

## Fall 2014 Syllabus (revised)

Lecture	Topic	Class Preparation	Assignment(s) Due
Class 1 Monday, Aug. 25	<b><i>New Lawyer Boot Camp I: Sources of Legal Authority</i></b> <ul style="list-style-type: none"> <li>• Introduction to LSS I</li> <li>• Introduction to the U.S. Legal System</li> <li>• Introduction to Legal Authority</li> </ul>	<ul style="list-style-type: none"> <li>• Please read Coughlin, pp. 15-31.</li> </ul>	
Class 2 Thursday, August 28	<b><i>New Lawyer Boot Camp II: Analyzing and Understanding Judicial Opinions and Rules of Law</i></b> <ul style="list-style-type: none"> <li>• Understanding Judicial Opinions</li> <li>• Understanding and Deriving Statutory and Case-Law Rules</li> </ul>	<ul style="list-style-type: none"> <li>• Please read Coughlin, pp. 33-34, 43-56, 57-66, 89-97.</li> <li>• Please skim very briefly the three annotated opinion excerpts at Packet, Tab 1.</li> <li>• Please review “armed-robbery synthesis exercise” at Packet, Tab 2, for in-class exercise.</li> </ul>	
Classes 3 and 4 Thursday, Sept. 4 7:30-9:30 p.m. <sup>1</sup>	<b><i>Thinking Like a Lawyer: Legal Analysis</i></b> <ul style="list-style-type: none"> <li>• Introduction to Legal Analysis</li> <li>• Legal Analysis: Statutory</li> <li>• Legal Analysis: Case Law</li> </ul>	<ul style="list-style-type: none"> <li>• Please read Coughlin, pp. 35-43, 67-79, 181-96.</li> <li>• Please read material at Packet, Tab 3 (no exercises).</li> <li>• Please review <i>State v. Glass</i> (Leona Rosal) exercise at Packet, Tab 4, for in-class exercise.</li> </ul>	<ul style="list-style-type: none"> <li>• Please bring to class your completed answers to any homework assigned last week (Classes 1 or 2), for group review.</li> </ul>
Class 5 Monday, Sept. 8 7:30-9:30 p.m.	<ul style="list-style-type: none"> <li>• <b><i>Thinking Like a Lawyer: Legal Analysis (Wrap-up)</i></b></li> <li>• Overview of Litigation</li> <li>• Informing the Client on the Case: Drafting an Informal Client-Advice Letter</li> </ul>	<ul style="list-style-type: none"> <li>• Please read Bridges &amp; Schiess, pp. 51-64.</li> <li>• Please review the client-advice-letter materials at Packet, Tab 5, for in-class, small-group work.</li> </ul>	

<sup>1</sup> Due to Labor Day (Monday, Sept. 1), Class 3 will be held on Thursday, Sept. 4, and will have an extra 40 minutes added to it (the first half of Class 4); likewise, Class 5, on Monday, Sept. 8, will have an extra 40 minutes added to it (the last half of Class 4). Class on both Sept. 4 and 8 will thus run from 7:30-9:30 p.m.

Class 6 Thursday, Sept. 11	<ul style="list-style-type: none"> <li>• <b>How to Cite Authority in Your Legal Writing:</b> <ol style="list-style-type: none"> <li>1. Introduction to the <i>Bluebook</i> (in-class presentation)</li> <li>2. Citing to Cases (self-study)</li> </ol> </li> <li>• <b>Finding the Law for Your Legal Analysis: Legal Research (begin)</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please skim briefly <i>Bluebook</i>: <ol style="list-style-type: none"> <li>1. Topics within “bluepages” (pp. 1-27)</li> <li>2. Rule 10</li> </ol> </li> <li>• Please skim briefly ICW Chs. 1-4 (introductory text only, not exercises).</li> <li>• Please review material at Packet, Tab 6.</li> <li>• Please bring your laptop and WL, Lexis, and BL passwords to class: <u>Classes 6-11</u>.</li> <li>• Please review before class the ungraded law-firm memo. [discussion section] problem (Packet, Tab 8) + bring the materials for it to class, for in-class work.</li> </ul>	
Class 7 Monday, Sept. 15	<ul style="list-style-type: none"> <li>• <b>Finding the Law for Your Legal Analysis: Legal Research (cont’d)</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please bring the ungraded law-firm memo. [discussion section] problem (Packet, Tab 8) + your notes on it to class, for in-class work.</li> </ul>	<ul style="list-style-type: none"> <li>• ICW Exs. 1 &amp; 2</li> </ul>
Class 8 Thursday, Sept. 18	<ul style="list-style-type: none"> <li>• <b>Finding the Law for Your Legal Analysis: Legal Research (cont’d)</b></li> <li>• <b>More on How to Cite Authority in Your Legal Writing (self-study by recorded lecture)</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please bring ungraded law-firm memo. [discussion section] problem (Packet, Tab 8) + your notes on it to class, for in-class work.</li> <li>• Please skim briefly <ul style="list-style-type: none"> <li>▪ <i>Bluebook</i> Rules 11-12 before listening to the recorded lecture and</li> <li>▪ ICW Chs. 5-8 (intro. text only) before listening to the recorded lecture.</li> </ul> </li> </ul>	
Class 9 Monday, Sept. 22	<ul style="list-style-type: none"> <li>• <b>Finding the Law for Your Legal Analysis: Legal Research (cont’d)</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please bring ungraded law-firm memo. [discussion section] problem (Packet, Tab 8) + your notes on it to class, for in-class work.</li> </ul>	<ul style="list-style-type: none"> <li>• Ungraded client-advice letter due at 6:00 p.m. (please submit via TWEN)</li> </ul>

Class 10 Thursday, Sept. 25	<ul style="list-style-type: none"> <li>• <b>Finding the Law for Your Legal Analysis: Legal Research (finish)</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please bring ungraded law-firm memo. [discussion section] problem (Packet, Tab 8) + your notes on it to class, for in-class work.</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Note</u>: you should be researching the law for the ungraded law-firm memo. [discussion section] <i>no later than</i> the weekend of Sept. 27. If you do not, then you will not have time to complete the ungraded exercise before the graded one is distributed. <i>It will take you longer than you think!</i> You will also benefit from the Sept. 29 class most fully if you've researched beforehand.</li> </ul>
Class 11 Monday, Sept. 29	<ul style="list-style-type: none"> <li>• <b>Putting it all together: Analyzing the Law and Issues in our In-Class Case Study</b></li> <li>• <b>Conveying Your Legal Analysis of a Single Issue: CR[e]AC (begin)</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please bring ungraded law-firm memo. [discussion section] problem (Packet, Tab 8) + your notes on it to class, for in-class work.</li> <li>• Please read Coughlin, pp. 97-120 (suggest also briefly reviewing pp. 89-96), 167-72.</li> </ul>	
Class 12 Thursday, Oct. 2	<ul style="list-style-type: none"> <li>• <b>Conveying Your Legal Analysis of a Single Issue: CR[e]AC (cont'd)</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please read Coughlin, pp. 129-65, 173-80.</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Note</u>: you should start writing your ungraded law-firm memo. [discussion section] <i>no later than</i> the weekend of Oct. 4. If you do not, you will likely not complete it before the graded assignment is distributed. <i>It will take you longer than you think!</i></li> </ul>

Class 13 Monday, Oct. 6	<ul style="list-style-type: none"> <li>• <b>Conveying Your Legal Analysis of a Single Issue: CR[e]AC (wrap-up, if any)</b></li> <li>• <b>Conveying Your Legal Analysis to Your Supervising Attorney: the Predictive Memorandum I</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please read Coughlin, pp. 3-13, 217-32, 243-45.</li> </ul>	<ul style="list-style-type: none"> <li>• ICW Exs. 3 &amp; 4</li> </ul>
Class 14 Thursday, Oct. 9	<ul style="list-style-type: none"> <li>• <b>Conveying Your Legal Analysis to Your Supervising Attorney: the Predictive Memorandum II</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please read Coughlin, pp. 199-215, 233-41.</li> <li>• Please read material at Packet, Tab 9.</li> </ul>	
Class 15 Monday, Oct. 13	<ul style="list-style-type: none"> <li>• <b>Conveying Your Legal Analysis to Your Supervising Attorney: the Predictive Memorandum III</b></li> <li>• <b>Professionalism, Ethics, and Editing (self-study by recorded lecture)</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please read Coughlin, pp. 121-28, 247-71 before listening to <i>the recorded lecture</i> (note: you do <i>not</i> have to listen to the recorded lecture before class; however, you should listen to it before your graded law-firm memo. is due because it will help you in drafting that graded assignment).</li> </ul>	<ul style="list-style-type: none"> <li>• ICW Exs. 5 &amp; 6</li> </ul>
Class 16 Thursday, Oct. 16	<ul style="list-style-type: none"> <li>• <b>Citation Diagnostic and Practice</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please bring your <i>Bluebook</i> and ICW workbook to class.</li> </ul>	
Class 17 Monday, Oct. 20	<p><b><i>Drafting Your Client's Contract I</i></b></p> <ul style="list-style-type: none"> <li>• <b>Introduction to Legal Drafting: Forms vs. Zero-Based Drafting</b></li> <li>• <b>Turning the Deal into a Contract (begin)</b></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Please skim briefly</u> Stark, Ch. 1.</li> <li>• Please read Stark, Chs. 2-4.</li> </ul>	<ul style="list-style-type: none"> <li>• Ungraded law-firm memo. [discussion section] due at 6:00 p.m. (please submit via TWEN).</li> <li>• Graded law-firm memo. (60% of grade) will be distributed via TWEN after tonight's class.</li> </ul>

Class 18 Thursday, Oct. 23	<b><i>Drafting Your Client's Contract II</i></b> <ul style="list-style-type: none"> <li>• <b>Turning the Deal into a Contract (cont'd)</b></li> <li>• <b>Parts of a Contract—The Frame</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please read Stark, Chs. 5-7, 17 (no exercises in any chapter).</li> <li>• <u>Please review briefly</u>, and then bring to class, ungraded contract problem at Packet, Tab 10—"Translating a Client's Objectives into Contract Terms" (Healthy Hearts)—for in-class exercise.</li> </ul>	
Class 19 Monday, Oct. 27	<b><i>Drafting Your Client's Contract III</i></b> <ul style="list-style-type: none"> <li>• <b>Parts of a Contract—The Picture</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please read Stark, Chs. 8-16 (no exercises in any chapter).</li> </ul>	
Class 20 Thursday, Oct. 30	<b><i>Drafting Your Client's Contract IV</i></b> <ul style="list-style-type: none"> <li>• <b>Clear and Unambiguous Drafting</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please read Stark, Chs. 18-21, 23-24 (no exercises in any chapter).</li> <li>• <u>Please review briefly</u>, and then bring to class, the contract exercise at Packet, Tab 11—"Clarity in Drafting"—for in-class exercise.</li> </ul>	• ICW Exs. 7 & 8
Nov. 3, 6, 7, & 8 (Classes 21 and 22)	<b>Individual Conferences with Senior Partner Simpson to Discuss Graded Law-Firm Memorandum</b> <ul style="list-style-type: none"> <li>• No LSS class on Nov. 3 or Nov. 6</li> <li>• one conference per student</li> <li>• schedule on TWEN "Sign-Up Sheets" page</li> </ul>		
Class 23 Monday, Nov., 10	<ul style="list-style-type: none"> <li>• <b>In-Class Legal-Research Training: Finding Transactional Materials (e.g., contract precedents)</b></li> </ul>	<ul style="list-style-type: none"> <li>• Please bring your laptop and WL, Lexis, and BL passwords to class.</li> <li>• Please bring to class your materials for the exercise under Packet, Tab 11—"Clarity in Drafting"—that we did in Class 20, in case we review this.</li> </ul>	<ul style="list-style-type: none"> <li>• Graded law-firm memo. due at 6:00 p.m. (60% of grade; please submit via TWEN)</li> <li>• Graded contract (40% of grade) will be distributed via TWEN after tonight's class.</li> </ul>

Class 24 Thursday, Nov. 13	<b><i>Drafting Your Client's Contract V</i></b>  • <b>The Drafting Process: Putting the Contract Together</b>	• Please read Stark, Chs. 26-28 (no exercises in any chapter).	
Class 25 Monday, Nov. 17	• <b>Putting it all together: a Practical Exercise on Contract Drafting</b>	• Please bring your Stark text to class for in-class exercise.  • <u>Please review briefly</u> , and then bring to class, Stark Ex. 26-2 (Packet, Tab 12), for in-class exercise.	
Class 26 Thursday, Nov. 20 (last class)	• <b>Students' Choice Class</b> (topic to be determined by student vote)		
Nov. 21, 22, 24, & 25 (Class 27)	<b>Individual Conferences with Senior Partner Simpson to Discuss Graded Contract</b> • No LSS class Monday, Nov. 24 • One conference per student • Schedule on TWEN "Sign-Up Sheets" page		
Thursday, Nov. 27	<b>Thanksgiving (no class)</b>		
Monday, Dec. 1			• Graded contract due at 6:00 p.m. (40% of grade; please submit via TWEN)

1. The syllabus may be modified as needed to achieve course objectives.
2. Please register for my LSS class on TWEN immediately after the first class.
3. Please bring your laptop and Westlaw, LexisNexis, and Bloomberg Law passwords to each class.
4. Beginning with **Class 9**, please bring your Bluebook and ICW Workbook to each class: as time allows, we may review citation matters even on days for which citation is not noted on the syllabus.