

LAWYERING SKILLS AND STRATEGIES I (SECTION B4)

FALL 2017

Sarah Morath
Telephone: 713-743-8431

Email: smorath@central.uh.edu
Office: 15E 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. And, in all matters, you will be expected to uphold the ethical and professional standards of a lawyer-in-training.

Required and Optional Course Materials

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

- *A Lawyer Writes, A Practical Guide to Legal Analysis*, Christine Coughlin, Joan Malmud Rocklin, Sandy Patrick, (2nd ed. 2013), published by Carolina Press ISBN 978-61163-397-9, e-ISBN 978-1-53100-273-2
- *Texas Legal Research*, Spencer L. Simons (2nd ed. 2016), published by Carolina Press ISBN 978-1-61163-562-1 e-ISBN 978-1-53100-650-1
- *The Bluebook: A Uniform System of Citation* (20th ed. 2015), published by the Harvard Law Review Association ["Bluebook"];
- *Interactive Citation Workbook for The Bluebook: A Uniform System of Citation* (2017 ed.), written by Tracy McGaugh Norton, Christine Hurt, & Jeffrey D. Jackson ["ICW"]

The following materials are optional:

- *Manual on Usage & Style* (13th ed. 2015), published by the Texas Law Review Association.
- *Researching the Law: Finding What You Need When You Need It* (1st ed. 2014), written by Amy E. Sloan ["Sloan"];

Attendance

The course is scheduled to meet on Monday from 1:00 p.m.-2:30 p.m. and Thursday 9:00 a.m.-10:30 a.m. The room is TBA. 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

Towards the end of the semester, I will be scheduling individual conferences to discuss the Graded Predictive Memorandum (Open Memo). This conference is required. Receiving feedback is the best way to improve your writing. I am always happy to meet with you to discuss your writing and research. Please either drop by during office hours or contact me to set up a time that is mutually convenient.

If you need to reschedule your required conference or another meeting, please contact me *before* the originally scheduled time. Otherwise, your failure to appear for the required 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 November 27, 2017.*

Laptop Policy and Electronic Devices

The use of laptop computers in class is a privilege, not a right. You may be asked to close your laptops and give your full attention during many class sessions. Please have pen and paper available for note-taking during these times. The use of a computer or any other communication device in class for activities or purposes unrelated to the course causes a significant distraction for other students and severely disrupts the ability of students to participate fully in class. Therefore, improper use of a computer during class (including, but not limited to, composing, sending, or reading emails; instant messaging; searching or browsing the Internet; playing games; and/or viewing movies) may result in dismissal from the class session and/or a reduction in your final grade.

This policy is consistent with University of Houston Law Center's computer use policy, which you can read here <http://www.law.uh.edu/jd/current/handbook.pdf>

Unless you are instructed otherwise, please turn off cell phones and similar devices.

Office Hours

If you have any questions about the course, please ask me. Office hours are Monday, Wednesday and Thursday from 11 a.m.-12 p.m., Thursday from 1-2 p.m., and by appointment. My office is located adjacent to the Lawyering Skills and Strategies Suite in Room 15E-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 Lawyering Skills and Strategies 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 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.

Online Legal Research Training

Online legal research is an important component of this course. You will be given passwords for Bloomberg Law, LexisNexis, O'Connor's Online, and Westlaw. Dates for mandatory training session for Lexis Advance and Westlaw are listed on the syllabus.

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 B4).

On the TWEN account, you will find a copy of the course description and syllabus, additional readings, handouts, and exercises covered in class. You will use the "Sign-Up Sheets" page to schedule an 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 may assign ungraded writing, research, or citation 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. 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 as assigned in the syllabus. You will access ICW through Lexis Advance. Be sure you do the *Bluebook* exercises, not the ALWD exercises. Please email your results to me at smorath@central.uh.edu and submit a hard copy of the Completion Certificate at the beginning of class on the due date. If you experience any technical difficulties accessing or completing the ICW 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:

- **Closed Memo (10%)—**
- **Legal Citation Quiz (15%)—**
- **Graded Email (15%)—**
- **Graded Open Memorandum (50%)—**
- **Professionalism (ungraded assignments and class participation) (10%)—**

One of the skills you need to master is how to budget and manage your time. If your Closed Memo, Citation Exam, or Graded Email is more than fifteen minutes late, I may deduct 1 point for the first hour (or part of the hour) that the assignment is late. If your Graded Predictive Memorandum is more than fifteen minutes late, I may deduct 2.5 points for the first hour (or part of the hour) that the assignment is late. After the first hour, I may deduct an additional 2.5 of the total points for every hour that the assignment is late.

The graded assignments are a required part of this course. If you fail to complete any one of the graded assignments 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, 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 an anonymous-grading system to ensure fairness in grading.

You will be assigned an exam number this semester to use instead of your name on the Citation Quiz, Email, and Memoranda. Your name should *not* appear anywhere in your Citation Quiz, Email, or Memoranda, and you should not share your exam number with me before the release of final grades.

Curve

The Law Center uses a mandatory distribution and a grading curve 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.
- Print on one side of each page only.
- Staple your paper in top left corner, if the assignment is being handed in.
- Adhere to all other requirements stated in the instruction sheet.

Honor Code

The Honor Code applies to this class. Students are responsible for knowing its provisions and complying with them.

The UHLC Honor Code is found at <http://www.law.uh.edu/student/HONOR-CODE-AND-PROCEDURES.pdf>? Questions regarding how the Honor Code's provisions apply to specific activities may be directed to me.