

**LAWYERING SKILLS AND STRATEGIES I (SECTION C3)**  
**FALL 2019**

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**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 be introduced to fundamental legal research, analysis, writing, and citation skills. And, in all matters, you will be expected to uphold the ethical and professional standards of a lawyer-in-training.

**Learning Outcomes**

The learning outcomes for this semester include the following:

- Legal System: Understanding the sources, hierarchy, and precedential value of legal authority.
- Legal Research: Proficiency in identifying issues applicable to a client's case; effective execution of online legal research techniques; and precise selection of legal authority.
- Legal Analysis: Ability to distinguish, structure, and dissect different types of legal rules; proficiency in understanding and applying enacted law to a client's case; proficiency in understanding and applying case law to a client's case.
- Legal Writing: Ability to translate legal research and analysis into an objectively written document that is organized logically; conveys all relevant and required content clearly and concisely; omits extraneous information; and uses correct grammar and punctuation.
- Legal Citation: Familiarity with the general principles for legal citation, the specific *Bluebook* rules for select legal authority, and the ability to apply them correctly.

**Course Materials**

You are required to acquire (in print form) *The Bluebook: A Uniform System of Citation* (20th ed. 2015), published by the Harvard Law Review Association ["Bluebook"].

I recommend you acquire (in print or electronic form) *Legal Communication and Research: Lawyering Skills for the Twenty-First Century* (2015), written by Ian Gallacher ["Gallacher"] and the *Manual on Usage & Style* (14th ed. 2017), published by the Texas Law Review Association.

Throughout the semester, I will supplement the readings assigned in the textbook. The supplemental readings will be posted on the TWEN course webpage.

**Attendance**

The course is scheduled to meet on Tuesdays from 9:00 a.m. to 10:30 a.m. in Room 240-TUII and on Thursdays from 9:00 a.m. to 10:30 a.m. in Room 240-TUII. Please note that certain class periods may 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 Law Center's attendance policy, you may miss no more than five scheduled class sessions during the semester. On your sixth absence, I will send you to the Associate Dean for Student Affairs to discuss your continued enrollment in the course. I reserve the right to count you as absent if you are not in the classroom, or other specified location, ten minutes after the class or conference has begun.

### **Conferences**

You must attend one conference with me between October 14, 2019, and October 18, 2019, to discuss the Graded Email, and you must attend one conference with me between November 11, 2019, and November 15, 2019, to discuss the Graded Legal Memorandum.

If you need to reschedule either 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.

### **Office Hours**

If you have any questions about the course, please ask me. I will have office hours on Mondays from 1:00 p.m. to 2:30 p.m., on Wednesdays from 9:00 a.m. to 10:30 a.m., and by appointment. I office in Room 15D-BLB, which is located in the Lawyering Skills and Strategies Suite. 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"). It is located near the circulation desk in the O'Quinn Law Library. Several outstanding law students staff the Center. They are able to help you with legal writing, research, and citation issues as well as style and usage questions. However, they are prohibited from assisting you with any graded assignment before you submit it. You may schedule an appointment by emailing [C\\_LawLegalWritingCenter@central.uh.edu](mailto:C_LawLegalWritingCenter@central.uh.edu). Walk-ins are also welcome. At any point during the semester, I may recommend that you visit the Center for additional assistance.

### **Online Legal Research**

Online legal research is an important component of this course. You should have received and registered your passwords for Bloomberg Law, LexisNexis, and Westlaw during orientation. If you did not, please let me know immediately.

### **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 it. After you register your Westlaw password, sign on to TWEN and add the course webpage named Lawyering Skills and Strategies I (Section C3). You will need to check it regularly.

- The "Syllabus" page contains the course information sheet and syllabus.
- The "Handouts" page includes the supplemental readings and instruction sheets.
- The "Course Materials" page has the PowerPoint presentations and exercises from class.
- The "Sign-Up Sheets" page is where individual conferences will be scheduled.

### **Class Preparedness, Participation, and Professionalism**

You are expected to complete the assigned readings and practice exercises before coming to class. I reserve the right to lower your Professionalism grade if you habitually fail (1) to prepare for class, (2) to participate actively in class, or (3) to show respect for me and your classmates.

### **Formative Assessment Methods**

Throughout the semester, I will provide formative assessment of your performance and competence based on your participation in classroom activities and your completion of practice exercises. The practice exercises for which you will receive written feedback include Writing Exercises I-IV and Citation Exercises I-III.

### **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 will affect your Professionalism grade.

### **Practice Exercises**

Throughout the semester, I will assign a number of practice 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 by the end of class on the due date, unless otherwise stated.* Be sure to retain a copy of your practice exercises. The failure to make a good faith effort on practice exercises and submit them in a timely manner will affect your Professionalism grade.

### **ICW Problems**

To practice your legal citation skills and to prepare for the Legal Citation Exam, you may want to complete the Interactive Citation Workstation (ICW) Problems. You may access ICW through Lexis Advance. Be sure you do the *Bluebook* exercises, not the ALWD exercises. If you experience any technical difficulties accessing or completing the ICW Problems, please contact me or LexisNexis for assistance.

### **Summative Assessment Methods**

This course also provides summative assessment of your performance and competence this semester. 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:

- **Graded Email (25%)**–Due by 10:00 a.m. on Monday, October 21, 2019.
- **Legal Citation Exam (20%)**–Given on Thursday, October 31, 2019.
- **Graded Legal Memorandum (50%)**–Due by 10:00 a.m. on Monday, November 18, 2019.
- **Professionalism (5%)**–As future attorneys, I expect you to uphold the professional standards of a lawyer-in-training throughout the semester.

One of the skills you need to master is how to budget and manage your time. If your Graded Email is more than fifteen minutes late, I may deduct 10% of the total points (2.5 points) for the first hour (or part of the hour) that the assignment is late. If your Graded Legal Memorandum is

more than fifteen minutes late, I may deduct 10% of the total points (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 10% of the total points for every hour that the assignment is late.

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 and routine illnesses do not constitute true emergencies.*

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 Email, Exam, and Memorandum. *Your name should not appear anywhere in your Email, Exam, or Memorandum, and you should not share your exam number with me before the release of final grades.*

To request a disability-based accommodation for a graded assignment, please contact Samantha Ary, Academic Records Coordinator. Ms. Ary offices in Room 44A-TUII, which is located in the Student Services Suite. She can be reached at sary@central.uh.edu or 713-743-7466. Requests should be made as soon as possible to allow ample time for processing.

### **Mandatory Curve**

This course is subject to a mandatory grading curve. The average grade in each section must be between 2.8 and 3.2.

### **Mandatory First-Year Grade Distribution**

In addition to the mandatory grading curve, this course is also subject to the mandatory First-Year Grade Distribution:

A	0–10%
A-	5–15%
B+	15–25%
B	25–35%
B-	15–25%
C+	5–15%
C (or below)	0–10%

### **Formatting Requirements**

All practice exercises and graded 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.
- Adhere to all other requirements stated in the instruction sheet.

### **Electronic Devices Policy**

You are permitted to use a computer during class to access course materials, to complete course activities, and to take notes only.

You are not permitted to use a smart phone during class. Please turn off your smart phone and place it in your bag before class begins. If there is an important reason for you to keep your smart phone within reach during class, please let me know and put it on vibrate.

The impermissible use of a computer\* or smart phone repeatedly during class will affect your Professionalism grade.

### **Course Recording Policy**

*You are not permitted to record a class without my prior express authorization* because I do not want students to feel inhibited when asking questions or completing in-class exercises. If you receive my express authorization to record a class, you are not allowed to distribute such a recording to any other person or use the recording for any purpose other than your own education without my express authorization.

### **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 or the Faculty Advisors for the Honor Board.

### **Counseling and Psychological Services**

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS ([www.uh.edu/caps](http://www.uh.edu/caps)) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the "Let's Talk" program, a drop-in consultation service with convenient hours and locations around campus ([http://www.uh.edu/caps/outreach/lets\\_talk.html](http://www.uh.edu/caps/outreach/lets_talk.html)).

The Texas Lawyers' Assistance Program (TLAP) also supports law students who are dealing with stress, anxiety, depression, substance abuse, and other mental health problems. You can reach TLAP at any time by calling 800-343-8527. TLAP's website includes a page with links to sources about mental health that are of interest to law students: <https://www.tlaphelps.org/law-students>.

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\* The impermissible use of a computer includes, but is not limited to, composing, sending, or reading emails; instant messaging; surfing the Internet; playing games; and/or viewing movies.

**LAWYERING SKILLS AND STRATEGIES I**  
**SYLLABUS—FALL 2019**

CLASS PERIOD	CLASS TOPIC	CLASS READING	ASSIGNMENT DUE
Class 1A August 20	The U.S. Legal System	<i>Gallacher</i> pp. xix-xxi, 435-470	None
Class 1B August 22	Legal Authority	LSS Handout #1 (TWEN)	Weight of Authority Exercise
Class 2A August 27	Identifying Issues	LSS Handout #2 (TWEN)	Issue Spotting Exercise
Class 2B August 29	Reading and Understanding Cases	<i>Gallacher</i> pp. 11-19 LSS Handout #3 (TWEN)	Case Brief Exercise
Class 3A September 3	Understanding and Structuring Rules of Law	<i>Gallacher</i> pp. 263-274	Rule Synthesis Exercise
Class 3B September 5	Legal Analysis I (Statutory Law)	<i>Gallacher</i> pp. 275-282	Statutory Interpretation Exercise
Class 4A September 10	Legal Analysis II (Case Law)	LSS Handout #4 (TWEN)	Case Law Analysis Chart
Class 4B September 12*	Effective Legal Writing	<i>Gallacher</i> pp. 89-137	Writing Exercise I
Class 5A September 17	Communicating Your Analysis in Writing (The “CR” of “CREAC”)	<i>Gallacher</i> pp. 73-79, 167-176, 227-249	Effective Legal Writing Exercise
Class 5B September 19	Communicating Your Analysis in Writing (The “EAC” of “CREAC”)	Review <i>Gallacher</i> pp. 227-249	None
Class 6A September 24	Legal Correspondence	<i>Gallacher</i> pp. 213-218, 222 LSS Handout #5 (TWEN)	Writing Exercise II (“CREAC”)
Class 6B September 26	Introduction to Legal Research	<i>Gallacher</i> pp. 327-331, 377-399, 401-402, 423-428	None
Class 7A October 1	Introduction to Legal Citation	<i>Gallacher</i> pp. 139-150 <i>Bluebook</i> pp. 1-2	Writing Exercise III (Professional Email)
Class 7B October 3	Legal Research and Legal Citation (Secondary Sources, Statutes, and Cases)	<i>Gallacher</i> pp. 161-166, 333-344, 405-407, 411-415	None
Class 8A October 8	Legal Research and Legal Citation (Secondary Sources, Statutes, and Cases)	<i>Gallacher</i> pp. 150-160, 354-357, 367-375	Citation Exercise I (Secondary Sources)
Class 8B October 10	Legal Research and Legal Citation (Electronic Research Services)	<i>Gallacher</i> pp. 345-354, 357-358, 399-401 LSS Handout #6 (TWEN)	Citation Exercise II (Statutes)

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\* Section A3 and Section C3 will meet from 9:00 a.m. to 10:30 a.m. on Thursday, September 12, in Room 240-TUII, for an Introduction to Effective Legal Writing.

October 14- October 18	<b>Individual Conferences (Graded Email) will be held in Room 15D-BLB in the LSS Office Suite.</b> Attendance is mandatory.		
Class 9A October 15	Legal Research and Legal Citation (Electronic Research Services)	<i>Gallacher</i> pp. 359-366	Electronic Research Exercise
Class 9B October 17	The Predictive Memorandum (Overview, Question Presented, and Brief Answer)	<i>Gallacher</i> pp. 197-203	Citation Exercise III (Cases)
<b>October 21</b>	<b>The Graded Email is due by 10:00 a.m. on Monday, October 21.</b>		
Class 10A October 22	The Predictive Memorandum (Statement of Facts)	<i>Gallacher</i> pp. 203-206, 251-262	None
Class 10B October 24	The Predictive Memorandum (Discussion and Conclusion)	<i>Gallacher</i> pp. 206-207, 210-211	None
Class 11A October 29	Editing (Rewriting, Revising, and Polishing)	<i>Gallacher</i> pp. 177-196, 433-434	Writing Exercise IV (Legal Memorandum)
Class 11B October 31	<b>The Legal Citation Exam will be administered during class on Thursday, October 31.</b>		
Class 12A November 5	The Ethical Use of Sources	<i>Gallacher</i> pp. 55-70	None
Class 12B November 7	Professionalism in School and Practice	None	None
November 11- November 15	<b>Individual Conferences (Graded Legal Memorandum) will be held in Room 15D-BLB in the LSS Office Suite.</b> Attendance is mandatory.		
<b>November 18</b>	<b>The Graded Legal Memorandum is due by 10:00 a.m. on Monday, November 18.</b>		

\*\*\* The syllabus may be modified as needed to achieve course objectives. \*\*\*