

**PROFESSOR LAUREN SIMPSON**  
**LAWYERING SKILLS AND STRATEGIES II**  
**SECTION E-1 • SPRING 2013**  
**(SECOND REVISION)**

**SYLLABUS**

Class and Date	Topic	Assignments Due, Class Readings, and Other Notes
<b>Class 1</b> Jan. 14	<ul style="list-style-type: none"> <li>• Course Overview</li> <li>• “The (New and Improved) 20,000-Foot View of Lawyering Skills”</li> <li>• Texas: Citation and the Nuances of Higher-Court Review</li> <li>• Subsequent History: Using and Citing It (partially self-study)</li> </ul>	<u>Assignment Due:</u> none  <u>Class Readings:</u> <i>Very briefly skim</i> Greenbook Part II (Texas Cases), pp. 5-28, 106-14, 117-18.  <u>Note:</u> Please bring your <i>Bluebook</i> and <i>Greenbook</i> to class.
<b>Class 2</b> Jan. 24 <b>Thursday</b>  [Both sections meet together due to MLK Holiday.]	<ul style="list-style-type: none"> <li>• Communicating with Opposing Party and Counsel</li> </ul>	<u>Assignment Due:</u> none  <u>Class Readings:</u> <ul style="list-style-type: none"> <li>• Read the material at Packet, Tab 1.</li> <li>• <i>Very briefly skim</i> the additional sample demand letters at Packet, Tab 2.</li> <li>• Read, but do not yet work on, the in-class demand-letter exercise under Packet, Tab 3.</li> </ul> <u>Note:</u> the graded demand-letter assignment (10% of grade) will be distributed today. It is <u>due on Monday, February 4.</u>
<b>Class 3</b> Jan. 28	<ul style="list-style-type: none"> <li>• The Art of Legal Persuasion: Advocating Effectively for Your Client</li> </ul>	<u>Assignment Due:</u> none  <u>Class Readings:</u> <ul style="list-style-type: none"> <li>• Read Edwards, pp. 163-68, 212-13(§ II A only).</li> <li>• Read material at Packet, Tab 4.</li> <li>• Read, but do not yet work on, the in-class <i>Lupino v. Carillo</i> legal-persuasion exercise that is under Packet, Tab 5.</li> </ul>

<p><b>Class 4</b> Feb. 4</p> <p><i>Note: because we have a guest speaker, class might run until 9:30; if so, then I will correspondingly shorten Class 5.</i></p>	<ul style="list-style-type: none"> <li>• Pre-Trial Motions I</li> <li>• Pre-trial Motions II: Summary Judgment</li> </ul> <p><b>Special presentation during the second half of class—The Nuts and Bolts of Motion Practice (Mr. Iain Simpson)</b></p>	<p><u>Assignment Due:</u> Graded demand-letter (10% of grade) is due at <u>6:00 p.m. today (Monday, Feb. 4)</u>. Submit via TWEN (PDF, MSWord, or WordPerfect format) in the applicable drop box. If (and <i>only</i> if) you cannot submit the assignment by TWEN, then you may turn it in at the LSS front desk. Please do not submit duplicate copies.</p> <p><u>Class Readings:</u></p> <ul style="list-style-type: none"> <li>• Read Edwards, pp. 168-71, 193(§ II A only).</li> <li>• Read material at Packet, Tab 6.</li> </ul> <p><u>Notes:</u></p> <ul style="list-style-type: none"> <li>• The ungraded motion for summary judgment will be distributed today (open research); it is <u>due Monday, Feb. 18</u>.</li> <li>• The materials at Packet, Tab 7 are aids to help in drafting your summary-judgment motion.</li> </ul>
<p><b>Class 5</b> Feb. 11</p>	<ul style="list-style-type: none"> <li>• Advocating for Your Client Effectively on Appeal I</li> </ul>	<p><u>Assignment Due:</u> ICW on-line Texas citation exercise (Ex. 1, problems 1-30).</p> <p><u>Class Readings:</u> Read Edwards, pp. 171-73, 175-78, 199-205 (no exercises).</p> <p><u>Note:</u> Packet, Tab 8 contains mainly sample appellate briefs, which are provided for your reference in drafting the graded appellate brief.</p>
<p><b>Class 6</b> Feb. 18</p>	<ul style="list-style-type: none"> <li>• Advocating for Your Client Effectively on Appeal II</li> </ul>	<p><u>Assignment Due:</u> Motion for Summary Judgment (ungraded) <u>due at 6:00 p.m. today (Monday, Feb. 18)</u>. Submit via TWEN drop-box in MSW, WP, or PDF format.</p> <p><u>Class Readings:</u></p> <ul style="list-style-type: none"> <li>• Read Edwards, pp. 175-88, 209-12, 213-21 (no exercises).</li> <li>• Read material at Packet, Tab 9.</li> <li>• Read (but do not work on) the <i>Crawford v. Made-Rite Homes</i> point heading and subheading exercise at Packet, Tab 10.</li> </ul> <p><u>Note:</u> Graded appellate brief problem will be <u>distributed on Thurs., Feb. 21</u>, at the end of Section E-2's LSS class (posted in TWEN's assignment drop box for this problem); <u>due</u></p>

		Mon., Apr. 8 (specifics below)
<b>Class 7</b> Feb. 25	<ul style="list-style-type: none"> <li>Advocating for Your Client Effectively on Appeal III</li> </ul>	<u>Assignment Due:</u> none  <u>Class Readings:</u> <ul style="list-style-type: none"> <li>Read Edwards, pp. 189-98 (no exercises).</li> <li>Read material at Packet, Tab 11.</li> </ul>
<b>Class 8</b> <b>Thursday</b> March 7  [Both sections meet together on Thursday, per request of Student Services.]	<ul style="list-style-type: none"> <li>Oral Argument</li> <li>Signals, Parentheticals, &amp; Supra (partially self-study)</li> </ul>	<u>Assignment Due:</u> none  <u>Class Readings:</u> <ul style="list-style-type: none"> <li><i>Very briefly skim</i> Bluebook R1.2-R1.5.</li> <li>(<b><u>Optional</u></b> reading: Edwards, pp. 293-304)</li> </ul> <u>Notes:</u> <ul style="list-style-type: none"> <li>Please bring your <i>Bluebook</i> and <i>Greenbook</i> to class.</li> <li>Outline of argument section of the appellate brief is <u>due Mon., March 11 (any time during the day)</u>. Please submit it by email as an attachment (MSW or WP format, <i>not</i> PDF) or as an email text.</li> </ul>
Week of March 11	<p style="text-align: center;"><b>Spring Break</b> (no class this week)</p> <p><u>Assignment due:</u> Outline of argument section of the appellate brief is <u>due Mon., March 11 (any time of day)</u>. Please submit it by email as an attachment (MSW or WP format, <i>not</i> PDF) or as an email text. I will endeavor to return all outlines (by email) no later than the end of Spring Break week.</p>	
<b>Class 9</b> March 18  [Both sections meet together for special presentation.]	<ul style="list-style-type: none"> <li>Special presentation—Effective Appellate Advocacy: Tips from the Judge’s and Practitioner’s Perspective  <i>The Hon. Terry Jennings, sitting Justice of the First Court of Appeals of Texas, and the Hon. Murry Cohen, retired Justice of the First Court of Appeals of Texas and Partner heading the Appellate Practice Section of Akin Gump Strauss Hauer &amp; Feld LLP (Houston)</i> </li> </ul>	<u>Assignment Due:</u> ICW Ex. 12  <u>Class Readings:</u> none  <u>Notes:</u> <ul style="list-style-type: none"> <li>Students will sign up in class today for conferences with me during the week of April 1 for the graded appellate brief.</li> <li>On Wednesday, March 20, the Advocates will conduct an appellate-argument learning lunch (12:00-1:00 p.m.) that will be recorded and archived on line, for you to view as your schedule allows.</li> </ul>

March 22-24 <b><i>Fri.-Sun.</i></b>	John Black Moot Court Competition: MANDATORY Educational Rounds (schedule TBA)	You must participate in one oral argument round this weekend. Advocates will schedule the round and notify you of your time slot. You will not be able to reschedule this round. Please plan accordingly.
<b>Class 10</b> March 28 <b><i>Thursday</i></b>  [Both sections meet together for special presentation.]	<ul style="list-style-type: none"> <li>• Mediation <i>Special guest lecturer: Professor Tasha Willis, the ADR Director at UHLC.</i></li> </ul>	<u>Assignment Due:</u> ICW Ex. 13  <u>Class Readings:</u> none
Week of April 1	No classes this week: individual student conferences	
<b>Class 11</b> April 8	<ul style="list-style-type: none"> <li>• Finding and Using Texas Legislative History</li> </ul>	<u>Assignment Due:</u> Graded appellate brief is due at <u>6:00 p.m today (Monday, April 8)</u> . Submit via TWEN assignment drop box (MSWord, PDF, or WordPerfect format). If (and <i>only</i> if) you cannot submit the assignment by TWEN, then you may turn it in at the LSS front desk. Please do not submit duplicate copies.  <u>Class Readings:</u> none
April 12 <b><i>Friday</i></b>	John Black Moot Court Finals: Failure to attend will count as one class absence.	Location and time: 7:00 p.m. in Krost Hall
<b>Class 12</b> April 15	<ul style="list-style-type: none"> <li>• Citation Review</li> <li>• Student's Choice (time permitting)</li> </ul>	<u>Assignment Due:</u> none  <u>Class Readings:</u> none
April 22 <b><i>Monday</i></b>	Final examination (20% of grade): <u>7:30-8:30 p.m., Monday, April 22</u> , usual room, both classes together	

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