

Lawyering Skills & Strategies

Course 6207

Section 20304

2:00-2:50 Tuesday

9:30-10:20 Friday

4 BLB

Professor Tobi Tabor

University of Houston Law Center

Office 15E BLB

Office Hours: (1) Tuesday, 12:30-1:30; (2) Thursday, 12:30-1:30; (3) by appointment or drop-in

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SPRING 2015

COURSE SYLLABUS

Date	Topic	Class Preparation
Week 1 Jan. 20 Class 1	Litigation Strategies: Introduction to Advocacy	Read: Linda H. Edwards, Legal Writing and Analysis 163-73 & skim trial level brief at 313 First-day assignment Due
Jan. 23 Class 2	Litigation Strategies: Persuasive Writing	Read: Hand-out: “Persuasive Legal Writing, Mary-Beth Moylan & Adrienne Brungess 129-40.
Week 2 Jan. 27 Class 3	Litigation Strategies: Persuasive Writing	
Jan. 30 Class 4	Citation Refresher	Bring ICW Workbook, Bluebook & Greenbook
Week 3 Feb. 3 Class 5	Litigation Strategies: Demand Letter, Petitions, Answers — Distribute Premises Liability materials for 1) Petition assignment (for π) and 2) demand letter assignment (for π; work with partner and sign letter as two lawyers in same firm).	Read: 1) Kamela Bridges & Wayne Scheiss, Writing for Litigation 21-50, 158-59 (sample demand letter), 160-66 (sample complaint & answer); Review: Linda H. Edwards, Legal Writing and Analysis 155-57 (III. Letters to Other Lawyers, A. General Considerations, and B. Demand Letters and Responses), 341 (sample demand letter)
Feb. 6 Class 6	Litigation Strategies: Fact Statements	Read: Linda H. Edwards, Legal Writing and Analysis 209-25 (Writing a Fact Statement) Due: demand letter to premises owner/attorney based on premises liability materials (submit with partner; sign letter as two lawyers in same firm)

<p>Week 4 Feb. 10 Class 7</p> <p>Feb. 13 Class 8</p>	<p>Litigation Strategies: Motion Practice —Distribute Premises Liability assignment for Motion/Response (for π or Δ)</p> <p>Litigation Strategies: Legal Argument</p>	<p>Read: Kamela Bridges & Wayne Scheiss, Writing for Litigation 93-119, Motions & Responses; Ross Guberman, Point Made: How to Write Like the Nation's Top Advocates 1-39 (2011); skim Linda H. Edwards, Legal Writing and Analysis 313-18 (Sample Trial-Level Brief). Due: Petition based on premises liability materials (work with partner; sign petition as two lawyers in same firm).</p> <p>Read: Linda H. Edwards, Legal Writing and Analysis 161-87, Introduction to Brief Writing & Questions Presented and Point Headings</p>
<p>Week 5 Feb. 17 Class 9</p> <p>Feb. 20 Class 10</p>	<p>Litigation Strategies: Legal Argument</p> <p>Litigation Strategies: Legal Argument</p>	<p>To prepare for in-class exercise: with partner, review and discuss <u>Theme-centered Argument</u> exercise (Peter Scorn) posted in Assignments on webcourse; be prepared to argue either side during the class exercise.</p> <p>Read: Linda H. Edwards, Legal Writing and Analysis 189-207, Writing the Argument Section and Standards of Review. Due: Ungraded Premises Liability pre-trial motion/response. You may work or confer with other students, but each should turn in your own motion or response so you can get feedback helpful for your brief. Your name should be on this rather than your exam number.</p>
<p>Week 6 Feb. 24 Class 11</p> <p>Feb 27 Class 12</p>	<p>Litigation Strategies: Dispute Resolution—Negotiation & Mediation</p> <p>Litigation Strategies: Lawsuit Mediation</p>	<p>Read: Kamela Bridges & Wayne Scheiss, Writing for Litigation, Mediation Statements 133-42, 211-13 (sample mediation statement)</p> <p>Class this day will last until 11:00. Before class review your premises liability motion for summary judgment or response—Facilitator will guide you in mediating your client's position with the objective of your agreeing on a settlement.</p>

Week 7 March 3 Class 13	Litigation Strategies: Client Communications	Read: Kamela Bridges & Wayne Scheiss, Writing for Litigation , Client Communications, 51-63
March 6 Class 14	Citing: Signals, Parentheticals, Legislative Resources, & Administrative Resources Distribute Brief Materials	Read: ICW workbook 87-91, 95–98, 103–08. Bring Bluebook to class.
Week 8 March 10 Class 15	Litigation strategies: Appellate Practice; Standard of Review	Due: Letter to client about results of mediation
March 13 Class 16	No class.	Due: ICW Exercises 12-14
Week 9 March 15-21	Spring Break	Be safe.
Week 10 March 24 Class 17	Appellate Practice; Standard of Review	Due: ICW Exercise 15
March 27 Class 18	Summary of Argument & Record Cites	Bring Greenbook to Class
Week 11 March 31 Class 19	Statement of Case	
April 3 Class 20	Oral Argument	
Week 12 April 6-10	Individual Student Conferences on Brief—by appointment no scheduled class April 7 & 10	
Monday, April 13	Be sure <u>you have only your correct exam number-not your name</u> on your brief when you turn it in.	Appellate Brief Assignment (60%) due in LSS office by 10:00 a.m.
Week 13 April 14 Class 21	Contract Principles <ul style="list-style-type: none"> Distribute Graded Contract/Policy assignment (20%) 	
April 17 Class 22	Contract Principles	

Week 14 April 21 Class 23 April 24 Class 24	Contract principles Review class	
Week 15 April 28 Class 25 April 30	Review-Last scheduled class of the semester. Citation Exam-Room (15%) 213 BLB	Due by 4:00 p.m. April 24 in LSS office: Graded Contract/Policy assignment (20%). You may deliver a hard copy or you may email it to Rose Verde, rverde@central.uh.edu , and she will scan it and give it to me. We will begin the exam class at 1:00 p.m. and end at 2:50 p.m. Giving the extra time for questions, etc. will ensure you will have a full hour to take the exam. You may bring your ICW Workbook, Greenbook, and Bluebook to use in the exam.
April 30	UHLC last day of class	Reading Days: May 1-4; Final Exams start May 5

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

You do not need to do any exercises that appear in the assigned readings in the texts unless the exercises are specifically identified in the “Assignment(s) Due” column.

The final grade for this semester of Lawyering Skills & Strategies consists of the following:

1. Class Participation and preparation grade (5%) (includes, but not limited to, active participation in class, promptness and attendance, timely completion of ICW and other ungraded assignments);
2. Contract/Policy provisions (20%);
3. Open research persuasive legal analysis—appellate brief (60%); and
4. Citation exam (15%).

By the due dates specified for exercises in the *Interactive Citation Workbook for The Bluebook* (ICW) **you must complete and submit proof of completion of the identified citation exercises: 12, 13, 14, and 15. Be sure you do the exercises for The Bluebook Uniform System of Citation, not those for the ALWD citation manual.**

No late ungraded assignments will be accepted for credit toward class participation grade, and late assignments may not be reviewed with written feedback; however, you may be penalized by a reduction in final grade for ungraded assignments not turned in at all-see item 1, above.