

Professor Lisa Tilton-McCarthy  
**LAWYERING SKILLS & STRATEGIES**  
 SPRING 2015

**STUDENT SYLLABUS**

	Lecture Topic	Preparation & Assignments
<b>Week 1A</b> Jan. 20	<b>Litigation Building Blocks:</b> Introduction to Advocacy The theories of persuasion	<b>First Day Assignment Due</b>
<b>Week 1B</b> Jan. 23	<b>Litigation Building Blocks:</b> Oral and Written Legal Persuasion	<b>Writing Assignment: Drafting persuasive facts. Assignment Due Jan. 27</b>
<b>Week 2A</b> Jan. 27 (double class 1 – 2:40p)	<b>Litigation Strategies:</b> Signals and Parentheticals Texas Citation	Read ICW Workbook 91 – 95, 99 – 102, and Tab 3; skim <i>Greenbook</i> 6 – 28; 40 – 58, paying particular attention to Practice Tips  <b>Bring Bluebook and Greenbook to class</b>  First Writing Assignment Due
<b>Week 2B</b> Jan. 30	<b>The Anatomy of Civil Litigation:</b> Pleadings and Discovery	Read Handout 1 <b>Texas Citation Exercise Due; Assign Research Recap 2</b>
<b>Week 3A</b> Feb. 3  <b>Krost Hall</b>	<b>Litigation Strategies: Guest Lecturer</b>  <b>Richard Josephson, Baker Botts LLP</b> has litigated securities, business, drug products liability, antitrust, consumer class actions, attorney general investigations, legal malpractice defense, mass and toxic tort and other complex commercial disputes for more than 40 years. He has tried over 80 cases, most of them jury trials, while defending clients in more than 35 states. He has also tried numerous matters before the American Arbitration Association, National Association of Securities Dealers, and other arbitration tribunals.	<b>Research Recap 2 Due</b>
<b>Week 3B</b> Feb. 6	<b>Civil Litigation:</b> Pretrial Motion and Argument	Read Clary 185-191; Handout 2. For sample trial briefs, <i>see</i> Clary 198 – 235. <b>ICW Exercise 10 due; short writing assignment, Writing Assignment 2, due Feb. 13.</b>
<b>Week 4A</b> Feb. 10	<b>Litigation Strategies:</b> Using Point Headings for Persuasion	Read Clary, pp. 179-188.
<b>Week 4B</b> Feb. 13	<b>Litigation Strategies:</b> Legal Argument, Counter Argument and Rebuttal	Assign MSJ response due Feb. 24; Read Handout 3; <b>ICW Exercise 11 due; Writing Assignment 2 due.</b>
<b>Week 5A</b> Feb. 17	<b>Litigation Strategies:</b> Argument – continued	
<b>Optional Class</b> <b>Feb. 18</b>  <b>12:00-1:00</b> <b>Krost Hall</b>	<b>Advocates Oral Argument Demonstration</b> <b>John Black Competition Learning Lunch</b>  <i>Attend if you want to participate in John Black Moot Court Competition</i>	<b>Or you can attend Professor Simpson's presentation: "How to Do an Effective Oral Argument: Moot Court and Real Life"</b>  <b>Saturday, February 21, 2015, 10a – 12p</b> <b>Location to be announced</b>

<b>Week 5B</b> Feb. 20	<b>Litigation Building Blocks:</b> Legislative History <b>Appellate Practice: Drafting Persuasive Facts</b>	Read ICW Workbook 108 – 114
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<b>Week 6A</b> Feb. 24	<b>Appellate Practice:</b> <b>Introduction to Appellate Practice</b> <b>Relationship between trial and appeal</b> <b>Overview of a brief</b>	MSJ Assignment due in LSS Offices at 8:50 a.m. (15% of your grade); Assign Research Recap 3
<b>Week 6B</b> Feb. 27	<b>Appellate Practice:</b> Standard of Review Issues Presented	Read Handout 4; Clary, pp. 175 – 179
<b>Week 7A</b> March 3 (double class 1 – 2:40p)	<b>Appellate Practice:</b> Translating trial argument to appellate argument	<b>Research Recap 3 Due</b>
<b>Week 7B</b> March 6	<b>Appellate Practice:</b> Statement of the Case and Conclusion How do the Summary of the Argument, thesis paragraph, and overall Conclusion differ?	<b>Pick up Brief Assignment in LSS Offices</b>
<b>Week 8A</b> March 10  (double class 1 – 2:40p) <b>Krost Hall</b>	<b>Appellate Practice: Guest Lecturer:</b>  <b>The Honorable Laura Higley</b> was elected as Justice of the First Court of Appeals, Houston, Texas, in November 2002. Justice Higley worked at Baker Botts L.L.P. from 1990 until 2002. She practiced in the areas of pension law, health care law and executive compensation.	
<b>Week 8B</b> March 13	<b>NO CLASS – Enjoy Spring Break!</b>	
<b>Week 9A &amp; 9B</b>	<b>SPRING BREAK: March 16 – 20</b>	
<b>Week 10A</b> March 24	Skills and Strategies Redux	<b>Brief Argument Outline due in class</b> <b>Bring <i>Bluebook</i> and <i>Greenbook</i> to class</b>
<b>Week 10B</b> March 27	<b>Lawyering Skills &amp; Strategies Final Exam</b> (10% of final grade)	
<b>Week 11A</b> March 31	<b>Transactional Practice:</b> Introduction to legal drafting Evaluating forms	Read Handout 5
<b>Week 11B</b> April 3	<b>Transactional Practice:</b> Clear and unambiguous drafting Words that create obligations	
<b>Week 12A and 12 B</b> April 6 - 10	<b>Appellate Brief:</b> Individual Student Conferences	
<b>Monday, April 13</b> <b>10:00 a.m.</b>		<b>Appellate Brief Assignment due in LSS offices at 8:50 a.m. (60% of final grade)</b>
<b>Week 13A</b> April 14 (double class 1 – 2:40p)	<b>Transactional Practice: Guest Lecturer</b>  Doug Yeager is a member of the American College of Real Estate Lawyers and head of Locke Lord's Real Estate and Finance practice. Mr. Yeager represents financial institutions, owners, tenants and developers in the acquisition, development, financing, leasing and disposition of commercial real estate, and also has significant experience in loan workouts, restructurings and foreclosures.	
<b>Week 13B</b> April 17	<b>Transactional Practice:</b> Settling a Claim Through Mediation	

<b>Week 14A</b> April 21	<b>Transactional Practice:</b> Putting the Contract Together	
<b>Week 14B</b> April 24	<b>Legal Building Blocks:</b> Introduction to Scholarly Writing	
<b>Monday, April 27</b>		<b>Final Contract Assignment due in LSS offices at 8:50 a.m. (15% of final grade)</b>