

LAWYERING SKILLS AND STRATEGIES II (SECTION B1)
SPRING 2018

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Course Objectives

Lawyering Skills and Strategies II will focus on further developing the underlying skills and strategies lawyers must possess to succeed within the American legal system. By working through problems inside and outside of the classroom, you will continue to refine the legal research, analysis, writing, and citation skills you learned last semester. 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 Drafting:** Knowledge of the considerations underlying contract negotiation and the ability to draft a contract that addresses the client's needs effectively.
- **Legal Advocacy:** Ability to translate legal research and analysis into a persuasively written document that is organized logically; conveys all relevant and required content clearly, concisely, and convincingly; and omits extraneous matters.
- **Legal Citation:** Familiarity with advanced legal citation rules and the ability to apply them correctly.

Required Course Materials

You will continue to use the following textbooks from last semester: *Legal Communication and Research: Lawyering Skills for the Twenty-First Century* (2015), written by Ian Gallacher ["Gallacher"], and *The Bluebook: A Uniform System of Citation* (20th ed. 2015), published by the Harvard Law Review Association ["Bluebook"].

You will need to obtain two additional textbooks for use this semester: *An Introduction to Contract Drafting* (2d ed. 2013), written by William K. Sjostrom, Jr. ["Sjostrom"], and *The Greenbook: Texas Rules of Form* (13th ed. 2015), published by the Texas Law Review Association ["Greenbook"].

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

Attendance

The course is scheduled to meet on Mondays from 1:00 p.m. to 3:00 p.m. in Room 215-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 University of Houston Law Center's attendance policy, you may miss no more than *three*

scheduled class sessions during the semester. Thus, on your fourth absence, I will refer 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.

Individual Conference

You must attend an individual conference with me this semester. Between April 2, 2018, and April 6, 2018, I will be scheduling individual conferences to discuss the Graded Pre-Trial Motion.

If you need to reschedule your 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 Wednesdays from 2:30 p.m. to 3:30 p.m., on Thursdays from 2:30 p.m. to 3:30 p.m., and by appointment. I office in Room 15D-BLB, which is located in the Lawyering Skills and Strategies Office Suite. Any changes to the regularly scheduled office hours will be announced via email.

Legal Writing Center

Remember that you may obtain free individual tutoring at the Legal Writing Center (“Center”). The Center is located adjacent to the LSS Suite in Room 14D-BLB. Several outstanding third-year law students staff the Center. They are able to help you with legal research, analysis, writing, 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.

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) 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 locations and hours around campus (http://www.uh.edu/caps/outreach/lets_talk.html).

Online Legal Research Training

You will continue to use the passwords for Bloomberg Law, LexisNexis, and Westlaw that you received last semester. If you have misplaced any of your passwords, please contact me immediately. You are also encouraged to attend group sessions and schedule individual sessions to advance your online legal research skills.

Course Webpage

We will continue to use the course webpage maintained by The West Education Network (TWEN), located at <http://lawschool.westlaw.com/twen/>.

On the “Spring Syllabus” page, I will post a copy of the course information sheet and syllabus for this semester. In the “Spring Handouts” folder, you will find the supplemental readings and instruction sheets. The “Spring Course Materials” page will have the PowerPoint presentations and exercises covered in class. And, you will use the “Sign-Up Sheets” to schedule an individual conference with me this semester.

You need to check TWEN 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.

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 before the last day of classes on April 27, 2018.*

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 a Critical Reflection Exercise, a Research Summary Exercise, a CREAC Refresher Exercise, an Ungraded Pre-Trial Motion, and Advanced Citation Exercises.

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.

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 submit all practice 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 legal citation skills and to prepare for the Legal Citation Exam, you may choose to complete the Interactive Citation Workstation (ICW) exercises. 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 exercises, 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 Contract (30%)**–Due on Friday, February 23, 2018.
- **Graded Pre-Trial Motion (50%)**–Due on Friday, April 13, 2018.
- **Legal Citation Exam (20%)**–Administered on Monday, April 23, 2018.

One of the skills you need to master is how to budget and manage your time. If your Contract is more than fifteen minutes late, I may deduct 5% of the total points (1.5 points) for the first hour (or part of the hour) that the assignment is late. After the first hour, I may deduct an additional 5% of the total points for every hour that the assignment is late. If your Pre-Trial Motion is more than fifteen minutes late, I may deduct 5% of the total points (2.5 points) for the first hour (or part of the hour) that the assignment is late. If your Contract or Pre-Trial Motion is submitted after 5:00 p.m. on the due date, I will not accept it, and your course grade will be an “F.” Additionally, if you do not sit for the Legal Citation Exam, you will receive an “F” in this course. *If you receive an “F” in Lawyering Skills and Strategies II, you will be required to repeat the course.*

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, 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 a new exam number this semester to use instead of your name on the Contract, Pre-Trial Motion, and Exam. *Your name should not appear anywhere in your Contract, Pre-Trial Motion, or Exam, and you should not share your exam number with me before the release of final grades.*

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.

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%

Computer Use and Other Disruptions

In accordance with the University of Houston Law Center's computer use policy, located at <http://www.law.uh.edu/jd/current/handbook.pdf>, I prohibit computer use in the classroom for anything other than completing activities as directed, taking notes, or accessing course materials. Also, to avoid disrupting the class, please turn off or silence all cell phones and similar devices, unless I have given you permission.

Course Recording Policy

Students are not permitted to record a class themselves by any means without my prior express authorization because I do not want students to feel inhibited in asking questions or when participating in in-class exercises. If a student receives my express authorization to record a class, the student is not allowed to distribute such a recording to any other person or use the recording for any purpose other than the student's own education without additional 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.

LAWYERING SKILLS AND STRATEGIES II
CLASS SYLLABUS (SECTION B1)—SPRING 2018

CLASS PERIOD	CLASS TOPIC	CLASS READING	ASSIGNMENT DUE
Week 1 January 16*	Legal Drafting I	<i>Sjostrom</i> pp. 1-21	Critical Reflection Exercise
Week 2 January 22	Legal Drafting II	<i>Sjostrom</i> pp. 21-35	None
Week 3 January 29	Legal Drafting III	<i>Sjostrom</i> pp. 43-52	None
Week 4 February 5	Legal Drafting IV	<i>Sjostrom</i> pp. 35-43	None
Week 5 February 12	Introduction to Legal Persuasion and Persuasive Writing Techniques	<i>Gallacher</i> pp. 27-34, 285-298 LSS Handout #1 (TWEN)	Research Summary Exercise
Week 6 February 19	Motion Practice I	<i>Gallacher</i> pp. 207-210	None
February 23	The Graded Contract is due on Friday, February 23.		
Week 7 February 26	Motion Practice II	<i>Gallacher</i> pp. 298-302	CREAC Refresher Exercise
Week 8 March 5	Motion Practice III	LSS Handout #2 (TWEN)	[Ungraded] Pre-Trial Motion Planning Exercise
March 12- March 16	Spring Break: LSS Class will not meet this week.		
Week 10 March 19	Legal Citation: Signals, Parentheticals, Case History, and Scholarly Works	None	[Ungraded] Pre-Trial Motion

* Section B1 and Section C1 will meet from 1:00PM to 3:00PM on Tuesday, January 16, for an introduction to legal drafting.

Week 11 March 26	Legal Citation: <i>The Greenbook</i>	Skim <i>Greenbook</i> pp. v-vii, 1-33, 42-45, 124-135 LSS Handout #3 (TWEN)	Citation Exercise I (Advanced Citation Skills)
April 2- April 6	Individual Conferences will held between April 2 and April 6 in Room 15D-BLB.		
Week 12 April 2	The Appellate Process The Appellate Brief	LSS Handout #4 (TWEN)	Citation Exercise II (<i>The Greenbook</i>)
Week 13A April 9 [†]	Scholarly Writing	LSS Handout #5 (TWEN)	None
Week 13B April 10	Judicial Opinion Writing	LSS Handout #6 (TWEN)	None
April 13	The Graded Pre-Trial Motion is due on Friday, April 13.		
Week 14 April 16	Professionalism in School and Practice	None	None
Week 15 April 23	The Legal Citation Exam will be administered at 1:00PM on Monday, April 23.		

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

[†] At a minimum, students must attend either the class on Monday, April 9, from 1:00PM to 3:00PM for an introduction to scholarly writing or the class on Tuesday, April 10, from 1:00PM to 3:00PM for an introduction to judicial opinion writing.