

# LAWYERING SKILLS AND STRATEGIES II

## Revised Course Information Sheet

Section E-1 • Professor Lauren Simpson • Spring 2018

### A. Course Objectives

Lawyering Skills and Strategies II will focus on further developing the underlying skills and strategies that 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, and you will add to, the legal-research, analysis, writing, and citation skills that you learned last semester. More specifically, you will learn and practice the art of persuasion in advocating for your client—whether with your client’s opponent, to a trial court, or in a professional email. You will also be introduced to mediation. And you will practice advanced citation skills, including those based on *The Greenbook*. In all matters, you will be expected to uphold the ethical and professional standards of a lawyer-in-training.

More specifically, the following 11 objectives apply to this LSS course:

1. Understanding the sources, hierarchy, and precedential value of laws
2. Distinguishing different types of legal rules, dissecting them into their basic components, and synthesizing a unified rule of law from disparate sources
3. Understanding and applying the law to the client’s case
4. Identifying legal and factual issues applicable to the client’s case
5. Conducting legal research to address issues in the client’s case
6. Translating legal research and analysis into litigation and transactional documents
7. Citing various authorities according to *The Bluebook* and *The Greenbook*
8. Selecting an appropriate and effective organization and style for legal documents
9. Writing clearly and concisely, conveying ideas precisely and appropriately, and using correct grammar and punctuation in legal documents
10. Understanding how the course’s topics and assignments fit into the larger legal context
11. Understanding the ethical and professional issues relevant to various course topics

## B. Office Hours and Contact Information

I will again have office hours on Mondays and Thursdays from 4:00 p.m. until 6:00 p.m. and by appointment. My office is located in Room 14C-BLB, adjacent to the Lawyering Skills and Strategies office suite. Any changes to the regularly scheduled office hours will be announced by email. My office phone is 713-743-2159, but I prefer for students to contact me through my office email, which is [ljsimpso@central.uh.edu](mailto:ljsimpso@central.uh.edu), or on my cell phone, the number for which you already have. Any changes to my regularly scheduled office hours will be announced by email and posted on the calendar on my web course, which is maintained through The West Education Network ("TWEN").

## C. Class Attendance, Absences, and Participation

Your class is held on Mondays from 7:30 p.m. to 9:10 p.m. (room 211 TUII). Sometimes (e.g., due to official holidays or to accommodate guest speakers), your section and Section E-2 will be combined into one class for the week, which may occur on a Thursday evening. These or any other changes to the regularly scheduled meeting time and location for the class are reflected in the syllabus or will be announced by email and posted on the TWEN web course calendar.

In accordance with University of Houston Law Center ("UHLC") attendance rules, you may miss no more than **three** scheduled classes or mandatory class activities. On the **fourth** absence, you must report to Dean Sondra Tennessee (the Associate Dean for Student Services), where the matter of dismissal will be taken under advisement. If you are not in the classroom or other specified location within ten minutes after the class or presentation is scheduled to begin, I may count you absent.

## D. Course Materials

Following are the texts required for my class for the spring semester:

- Tracy L. McGaugh & Christine Hurt, *Interactive Citation Workbook for The Bluebook: A Uniform System of Citation* (2017 ed.)
- *The Bluebook: A Uniform System of Citation* (20th ed. 2015) ["Bluebook"]
- *The Greenbook: Texas Rules of Form* (13th ed. 2015) ["Greenbook"]
- Christina Coughlin, John Malmud, & Sandy Patrick, *A Lawyer Writes: A Practical Guide to Legal Analysis* (2d ed. 2013)
- Kamela Bridges & Wayne Scheiss, *Writing for Litigation* (1st ed. 2011)

## E. Graded Assignments

Curve and Grade Distribution: UHLC requirements set the average of grades in the LSS class between 2.8 and 3.2. A mandatory grade distribution also applies to this class. This semester, your LSS section (E-1) will be graded and curved separately from my other LSS section (E-2) because you are being taught separately.

Graded Assignments: Subject to any grade adjustments covered in this Course Information Sheet, your final grade is comprised of the following:

1. **Graded Demand-Letter (20% of your final grade)**—due at or before 6:00 p.m. on Thursday, February 8, 2018. (*Note: an optional first draft is due on Monday, January 29.*)
2. **Graded Pre-Trial Motion (55% of your final grade)**—due at or before 6:00 p.m. on Monday, April 9, 2018.
3. **Citation Exam (20% of your final grade; multiple-choice format; open Bluebook and Greenbook)**—administered on Monday, April 23, 2018, from 7:30 p.m. to 9:15 p.m.
4. **Professionalism (5% of your final grade)**—Professionalism will be taken into account starting the week of February 26, 2018. Professionalism includes keeping scheduled appointments with the professor (unless prior notice of cancellation is given), being prepared for class, participating fully in class exercises, and treating classmates and the professor respectfully.

One of the skills you need to master in law school is how to budget and to manage your time. If your Graded Demand Letter or Graded Pre-Trial Motion is turned in after 6:14:59 p.m. on the due date, I may deduct the following points for each hour (or part of an hour) that the assignment is late:<sup>1</sup>

- *Graded Demand Letter*: 4 points
- *Graded Pre-Trial Motion*: 6 points

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<sup>1</sup> For example, a Graded Demand Letter that is turned in after 6:14:59 p.m. but by or before 7:14:59 p.m. on the due date is subject to a 4-point deduction. A Graded Demand Letter that is submitted after 7:14:59 p.m. but by or before 8:14:59 p.m. on the due date is subject to an 8-point deduction: 4 points for the hour spanning from 6:15 p.m. to 7:14:59 p.m., and 4 more points for the hour starting at 7:15 p.m.

If your Graded Demand Letter or Graded Pre-Trial Motion is submitted after 11:59:59 p.m. on the due date, I will not accept it, and your course grade will be an "F." If your final grade this semester is an F, you will be required to repeat this course.

If you are seriously ill or are otherwise unable to turn in your Graded Demand Letter or Graded Pre-Trial Motion on time, you must notify me *in writing prior to the due date* to seek an extension. *I will consider extensions for emergencies only.* The following are non-exhaustive examples of things that do not constitute emergencies: computer problems (including, but not limited to, printer problems), internet problems, routine illnesses, and job-related matters. I include job-related matters as non-emergencies simply to be fair to all students because each of you carries a heavy work load at his or her job.

Please note that UHLC uses a blind-grading system to ensure fairness in grading. Your name should not appear anywhere in or on your Graded Demand Letter (first draft and final version), Graded Pre-Trial Motion, or Citation Exam. Instead, you will be assigned and must use an exam number each semester. Your spring exam number is different from that assigned to you in the fall. *You are responsible for obtaining your spring exam number before the first draft of the Graded Demand Letter is due on January 29, 2018.*

## **F. Ungraded Assignments**

Writing Assignments: This semester, I will assign a single ungraded writing assignment. The course syllabus and the TWEN web course calendar indicate the time and date by which this assignment is due. Although I generally grant extensions requested in advance (provided that the extension is not for too long a period), *I reserve the right not to review or to give feedback on any ungraded assignment turned in late without my prior permission.* I will not deduct from your final grade if you do not complete the ungraded writing assignment. However, those who do not do this assignment will neither receive my feedback (which is extensive) nor get needed writing practice, both of which will place them at a *significant* disadvantage to those who have turned in their ungraded assignment.

### Citation Exercises:

- *Texas citation exercise.* This exercise appears on the TWEN web course "Citation" page.
- *Signals & Parentheticals citation exercise.* This exercise also appears on the TWEN web course "Citation" page. It is comprised primarily of certain questions taken or adapted from ICW Exercises 12 & 13. However, I am not having you do the on-line ICW exercises because (i) they test for some material that's unrelated to what I'm teaching this semester and (ii) I wanted to shorten and to adapt the content. You may opt to do these ICW Exercises on line if you wish, simply for additional practice.

I will not deduct from your final grade if you do not complete one or more citation exercises. However, it is impossible to do well on the Citation Exam (or to cite well enough for law practice, the graded Pre-Trial Motion, and scholarly writing on a journal or law review) if you do not practice legal citation. This means that those who do not complete the citation exercises will simply not do well on the Citation Exam and Graded Pre-trial Motion and will not be fully prepared for scholarly writing, clerkships, etc. Moreover, I use my students' citation-exercise answers as a diagnostic tool for teaching: if students do not do the citation exercises, I cannot see where they need help, and I cannot help them improve their citation skills. Therefore, all students should complete the citation exercises in a timely fashion.

### **G. Submission and Formatting Guidelines for Assignments**

Except for citation exercises, your graded and ungraded assignments will be submitted through the TWEN web course, under the "Assignments" drop box specified for that assignment.<sup>2</sup> Assignments submitted through the TWEN web course must be in MSWord or WordPerfect format. *If the assignment is graded, you must obtain your spring 2018 student exam number (which you will use in lieu of your name because of UHLC's blind-grading policy) before you may access the relevant TWEN web course Assignments drop box or submit your work product there.*

Formatting requirements will appear in each assignment's instructions.

### **H. Web Course**

I will again use a TWEN web course. However, your section has a new web course under my name on TWEN for the spring semester: **"Lawyering Skills and Strategies II S2018 – Section E-1."** You must register for this new TWEN web course as soon as possible. As in the fall, there is no password for the spring web course. Throughout the semester, I will post class information and useful materials on our TWEN web course on a regular basis, and I will generally use the TWEN web course email system to contact the class. Accordingly, please ensure that the email address that you use for the spring TWEN web course is one that you check regularly and that it remains current. You are responsible for reviewing any materials posted to, and the calendar for, our TWEN web course.

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<sup>2</sup> At the time that I distribute a graded assignment, I will always specify at least one alternative method of submission (e.g., email submission to an administrative assistant, to preserve your anonymity), should you experience technical difficulties that prevent your submitting your graded assignment through the TWEN web course. *Any such alternative submission method, however, is subject to the same deadlines as a TWEN web-course submission.*

## I. Honor Code

The UHLC Honor Code applies to all aspects of this class. *You are responsible for complying with the Honor Code and for knowing its provisions.* Please ask me if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations. **It is an Honor Code violation to review the graded assignments written by any of my LSS students from prior years.**

## J. Computer Use and Other Disruptions

In accordance with UHLC's computer-use policy, located in the Student Handbook, I prohibit computer use in class for anything other than completing activities that I direct, taking notes, or accessing previous notes or materials for my class, unless otherwise directed by me. Similarly, unless I give you permission, please turn off or silence your cell phone and similar devices and avoid talking with your colleagues during class except during in-class exercises. I also do not allow students to record my lectures in any fashion because I do not want students to feel inhibited in asking questions or in participating in class exercises. However, I will generally record sessions in which the two LSS sections are combined into a single class (as long as any outside speakers for that combined class consent.)

## K. Legal Writing Center

Remember that you may obtain free, individual tutoring at the Legal Writing Center, located in room 14D BLB, just next door to the LSS suite and near my office. Several outstanding third-year law students staff the Center. They will be able to help you with basic grammar skills, proper English usage, and sentence and paragraph construction. The tutors will answer your questions on legal writing, research, and citation for ungraded assignments or in general—although they may not assist in any way with graded assignments. You may schedule appointments with the Center's tutors by emailing [C\\_LawLegalWritingCenter@central.uh.edu](mailto:C_LawLegalWritingCenter@central.uh.edu) or calling 713-743-0759. Walk-ins are also welcome.

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 at convenient locations and hours around campus. [http://www.uh.edu/caps/outreach/lets\\_talk.html](http://www.uh.edu/caps/outreach/lets_talk.html).

Texas Lawyers' Assistance Program:  
<https://www.tlaphelps.org/>

Assistance Program: