

Lawyering Skills & Strategies 1
Sections B1 & C3
Fall 2020

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1. Overview and Course Objectives

Welcome to your first semester of law school, and to Lawyering Skills & Strategies 1 (LSS 1). In this course, you will learn the basic workings of the American legal system; how to analyze and apply legal sources; and other skills you need to succeed in law school and beyond, with a strong focus on research and writing. To accomplish these goals, you will draft documents; work through legal problems inside and outside the classroom; review texts about effective writing; and engage in simulation exercises. More specifically, the course objectives for LSS 1 and 2 include:

1. Understanding the sources, hierarchy, and precedential value of laws.
2. Ability to distinguish different types of legal rules, to dissect legal rules into their basic components, and to synthesize a unified rule of law from disparate sources.
3. Proficiency in identifying issues applicable to the client's case.
4. Effective execution of on-line legal research and selection of authority to address issues in the client's case.
5. Proficiency in understanding and applying case precedent to the client's case.
6. Proficiency in understanding and applying enacted law to the client's case.
7. Ability to translate legal research and analysis into an objective writing that is organized effectively, conveys all relevant and required substance clearly and concisely, and omits extraneous matters.
8. Proficiency in using correct grammar and punctuation regardless of the document or communication drafted.
9. Awareness of how the topics discussed and assignments given in the course fit into the practice of law.
10. Awareness of ethical and professional issues in practice.

11. Introduction to the general principles for legal citation, proficiency in *Bluebook* citation for cases and statutes, and proficiency in *Greenbook* citation for cases. **The *Greenbook* citation system will be covered in the spring semester.**
12. Ability to translate legal research and analysis into a persuasive writing that is organized effectively; conveys all relevant and required substance clearly, concisely, and strategically; and omits extraneous matters. **This course objective will be covered in the spring semester.**
13. Exposure to the considerations underlying contract negotiation and drafting to address the client's needs effectively. **This course objective will be covered in the spring semester.**

2. Course Format

This course is delivered primarily through distance education. Instruction will be provided online through a combination of synchronous full-class meetings, synchronous meetings with smaller groups, individual conferences, and asynchronous course content (e.g., video lectures, podcasts, or out-of-class group exercises). I aim to occasionally hold class meetings in HyFlex format, meaning that students can choose between attending in-person or remotely. I also intend to make myself available for in-person meetings on campus, individual or with groups of students, at certain points during the semester. If you have questions or concerns regarding the course delivery method, please do not hesitate to raise them with me.

3. Course Materials

You are required to purchase the following books:

- Christine Coughlin et al., *A Lawyer Writes* (3rd ed. 2018). A used copy is adequate and can be purchased for a few dollars on the Internet. Please do make sure you obtain the 2018 edition.
- *The Bluebook: A Uniform System of Citation* (21st ed. 2020). You MUST purchase the 2020 version and likely won't be able to buy a used copy. This will be a resource for the entire first year of law school and beyond.

I recommend the following materials as optional resources:

- Free grammar exercises by the Purdue Online Writing Lab, available at https://owl.purdue.edu/owl/general_writing/grammar/index.html.
- The free writing assistant Grammarly, available at <https://www.grammarly.com/>.

I will post additional course materials on a course webpage maintained by The West Education Network (TWEN). The URL is <http://lawschool.westlaw.com/twen/> and you need your Westlaw password to access the webpage. After you register your Westlaw password, sign on to TWEN and add course webpage Lawyering Skills & Strategies – 2020-2021 – Ten Cate.

4. Grading

Graded Assignments:

The assignments below constitute the baseline for your grade for this course, subject to adjustments identified in this information sheet. The points indicate the maximum score you could earn for each assignment. Please note that due to the nature of this course—and consistent with the realities of legal practice—even the most outstanding students virtually never earn the maximum score on the writing assignments.

Timed Email Assignment – 10 points

LSS Exam – 10 points

Research Report – 5 points

Memorandum Outline – 10 points

Graded Memorandum – 60 points

Ungraded Assignments, Class Participation, and Professionalism – 5 points

If a graded assignment is not turned in by the deadline, I may deduct 10% of your total points during each hour that your assignment is late, starting with the first hour. So, if your assignment is due at 10 am on a given day, I may deduct 10% if you submit it at 10:05 am on the due date, 20% if you submit it at 11:05 am, etc.

Please treat deadlines for graded assignments like you would treat deadlines in a professional work setting. If you are unable to complete a graded assignment by the deadline, you must contact Assistant Dean Monica Mensah of Student Services at mebuckne@central.uh.edu **before the due date** to seek an extension, barring an emergency that renders you unable to do so. Dean Mensah will communicate with me about your request. **I will grant extensions for emergencies only.** Computer problems, routine illnesses, and assignments for other classes do not qualify as emergencies. If any deadlines present major difficulties for multiple students because of proximity to midterm exams or similar academic obligations, please inform me as soon as you become aware of the problem. The sooner you let me know, the more likely it is that we can work out a solution.

UHLIC uses an anonymous grading system to ensure fairness in grading. Your name should not appear anywhere on anonymous graded assignments, and you must remove personal metadata from your assignments in accordance with the instructions provided below. You should not give me your exam number or other anonymous numbers used for the graded assignments, and you should take care to avoid providing information on graded assignments that may identify you.

I reserve the right to deduct points from a graded assignment if you fail to abide by instructions that are intended to safeguard anonymity, including those regarding extension requests.

Ungraded Assignments and Professionalism:

Ungraded assignments include exercises to be completed during or outside class. Satisfactory completion of these assignments, along with professionalism, accounts for up to 5 points.

Moreover, because these assignments are mandatory, failure to complete any of them may result in not passing this course.

Curve, Grade Distribution, and Honor Code:

This course is subject to a mandatory grading curve. The average grade in each section must be between 3.2 and 3.4. The course is also subject to the mandatory first year grade distribution:

- A or A-: 5% to 30%
- B+ or B or B-: 50% to 90%
- C+ or below: 5% to 20%

The UHLC Honor Code applies to this class. <http://www.law.uh.edu/student/HONOR-CODE-AND-PROCEDURES.pdf>. Students are responsible for knowing its provisions and complying with them. Please direct any questions regarding the Honor Code's applications to specific activities to me.

5. Assignments

Formatting Requirements:

Unless instructed otherwise, all assignments must conform to these specifications:

- Use Times New Roman, 12-point type, on white letter-size paper.
- Double-space each assignment, except for headings.
- Use one-inch margins on all sides.
- Place page numbers in the bottom center of each page.
- Adhere to any other instructions you are provided.

Remove Metadata

To safeguard anonymity, you must scrub each graded assignment of metadata that could identify you by taking the following steps immediately before submitting it:

- Under "File" at the top left of your document, click the "Check for Issues" box.
- Click "Inspect Document."
- Click "Yes" when asked if you want to save changes.
- Click "Inspect."
- If the result of the inspection indicates that anything was found under "Document Properties and Personal Information (it almost always does), click "Remove All."

If you are working on a Mac computer:

- Under "Tools" at the task bar, select "Protect Document."
- Check the box next to "Remove personal information from this file on save."

6. Class Attendance and Conferences

Synchronous class meetings for section B1 take place on Tuesday from 11:10 am – 12:25 pm and Wednesday from 1:40 – 2:55 pm. Synchronous class meetings for section C3 take place on Wednesday from 11:10 am – 12:25 pm and Thursday from 1:40 – 2:55 pm. I will provide a Zoom link for class meetings before the first week of class.

Please note that certain class periods will be added and/or combined, and some class meetings may be replaced entirely with conferences, small-group meetings, or asynchronous content or exercises. Any changes to the regularly scheduled meeting time and location are reflected on the syllabus or will be announced via email. You must also attend individual conferences and small group meetings.

I take attendance during each class session, conference, and small group meeting, and I reserve the right to count you as absent if you are not present ten minutes after the class or conference has begun or if you leave more than ten minutes early. If you cannot attend a synchronous class meeting, it is your responsibility to contact me in advance of class (barring an emergency that prevents you from doing so) so that I can ensure you will watch the recording and make up any missed in-class exercises. Under UHLC's attendance policy, you may miss no more than 20% of scheduled class sessions during the semester. If you exceed this percentage, I will notify the Assistant Dean for Student Services, which could result in your dismissal from the class.

7. Etiquette for Synchronous Zoom Class Meetings

In order to make this course as effective as possible for yourself and for your classmates, please follow the guidelines below.

- Access the Zoom link at least a few minutes before the scheduled class time. If you run into difficulties, email me at itencate@central.uh.edu.
- I don't require that you turn on your camera, but I strongly encourage it. If you are unable or reluctant to turn on your camera for technical reasons, this resource may be useful: <https://uh.edu/online/students/remote-learning/index>.
- If you want to ask a question, click the "raise your hand button." When I say your name, unmute your microphone and talk. After the question is answered, mute your microphone again.
- Assume you will always be visible and audible to others, so act and dress accordingly.
- I want to create a safe and comfortable learning experience for all students, and I expect you to treat class sessions like professional meetings. Do not engage in behavior that violates privacy laws, rules, and norms. Among other things, you should not "pin" fellow students or disseminate recordings or screenshots, including on social media. Violations will be taken seriously and may negatively affect your score for professionalism.

8. Office Hours

My office hours are on Tuesdays from 3:30 – 6 pm. I will provide a Zoom link for office hours before the first week of class. The first two hours are reserved for individual appointments for which I will distribute a weekly sign-up sheet, and the last 30 minutes is a drop-in session for anyone who wants to join. I will not hold office hours during weeks in which I hold individual conferences. If you would like to meet outside office hours, please email me to schedule an appointment.

9. Email Communications

I do not intentionally ignore inquiries or requests from students, but I may inadvertently fail to respond. If, during the semester, I do not reply within 24 hours to an email from you that requires a response, please send me a reminder.

10. Legal Writing Center

An excellent resource for free individual tutoring is the Legal Writing Center. The Center is staffed with outstanding second- and third-year law students who can help you with legal writing, legal research, citation, and style and usage. ***Note, however, that the writing fellows are prohibited from assisting you with any graded assignments before you submit them.*** You can schedule an appointment with a writing fellow by emailing C.LawLegalWritingCenter@central.uh.edu.

11. Accessibility and Accommodations

UHLC is committed to ensuring that all students enjoy equal access and full participation. If you anticipate or experience barriers based on a disability (including any chronic or temporary medical or mental health condition), feel free to reach out to me so that we can discuss options. If you require any support services, you may contact Samantha Ary, Academic Records Coordinator. Ms. Ary can be reached at sary@central.uh.edu or 713-743-7466. Requests for accommodation that involve graded assignments must be directed to Ms. Ary and should be made as soon as possible to allow adequate time to process the request.

If you observe religious or cultural holidays that coincide with LSS 1 class meetings, please let me know by the end of the first week of class.

12. Names and Pronouns

I want to address each of you in a manner that corresponds to your identity. Although mistakes happen, chosen names and preferred pronouns—including non-binary ones such as they / them / their—must be respected in my classroom. Feel free to reach out to me at any time if you want to make me aware of your chosen name or preferred pronoun, or if you have any concerns about how I or your classmates address you.

13. Counseling and Psychological Services

Counseling and psychological services (CAPS) is available to help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. www.uh.edu/caps. You can reach CAPS by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis.

The Texas Lawyers' Assistance Program (TLAP) also supports law students who are dealing with stress, anxiety, depression, substance abuse, or other mental health problems. You can reach TLAP at any time at 1-800-343-8527. TLAP's website provides links to sources about mental health that are of interest to law students: <https://www.tlaphelps.org/law-students>.

14. Anti-Discrimination and Sexual Misconduct Policies

UHLC and the University of Houston are committed to maintaining and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, a confidential reporting process is available to you. For more information, please refer to the University system's Anti-Discrimination Policy SAM 01.D.07 and Sexual Misconduct Policy SAM 01.D.08:

<http://www.uhsystem.edu/compliance-ethics/uhs-policies/sams/01-general-information/index.php> (full policy)

http://www.uhsystem.edu/compliance-ethics/_docs/sam/01/1d7.pdf (antidiscrimination)

http://www.uhsystem.edu/compliance-ethics/_docs/sam/01/1d8.pdf (sexual misconduct)

Please be aware that under SAM 01.D.08, faculty and other university employees are required to report to the university any information received regarding sexual misconduct as defined in the policy. **Due to this reporting requirement, faculty members and other employees are not a confidential resource.** The reporting obligations under the sexual misconduct policy extends to alleged conduct by University employees and students.