

Lawyering Skills and Strategies

PROF. MAIKIETA A. BRANTLEY

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Course Objectives

The learning objectives for this semester include the following:

- Legal System: Understanding the sources, hierarchy, and precedential value of legal authority.
- Legal Research: Proficiency in identifying issues applicable to a client's case; effective execution of online legal research techniques; and precise selection of legal authority.
- Legal Analysis: Ability to distinguish, structure, and dissect different types of legal rules; proficiency in understanding and applying enacted law to a client's case; proficiency in understanding and applying case law to a client's case.
- Legal Writing: Ability to translate legal research and analysis into an objectively written document that is organized logically; conveys all relevant and required content clearly and concisely; omits extraneous information; and uses correct grammar and punctuation.
- Legal Citation: Familiarity with the general principles for legal citation, the specific *Bluebook* rules for select legal authority, and the ability to apply them correctly.

Class Attendance

It is my intention that our class will be highly interactive – this is because I believe that you will learn much from each other as well as from me. You are responsible for all reading assignments, and to acquire strong analytic and communication skills, your active participation in class discussions, class workshops, and at conferences will be critical. Out of respect for your fellow students, please turn off your cell phones while in class. When using laptop in class, it is disruptive to check email or surf the Internet; during class, laptops may be used only for class-related purposes. I will always share any powerpoint slides used after the class has concluded.

Attendance is mandatory. Attendance will be taken during each class session, which includes Conferences. If you are unable to attend class, you must advise me via email before class (barring an emergency that prevents you from doing so). In accordance with the Law Center's attendance policy, you may miss no more than five class sessions during the semester. On your sixth absence, I will send you to the Assistant Dean for Student Affairs to discuss your continued enrollment in the course.

Course Webpage

We will be using a course webpage maintained by The West Education Network (TWEN). The URL is <http://lawschool.westlaw.com/twen/> and you will need the Westlaw password distributed at Orientation to access it. After you register your Westlaw password, sign on to TWEN and add the course webpage named Lawyering Skills and Strategies (Brantley).

Fall Course Materials

A Lawyer Writes, Coughlin, 3rd Edition



Bluebook: A Uniform System of Citation, 21st Edition



I will also ask you to purchase a subscription to “Mastering the Bluebook Interactive Exercises.” We will discuss in class.

Documents

Judges can be extraordinarily strict about compliance with the rules of their court and now is a good time for you to learn the analogous rules for this course. The specific directions for the style and layout of your written work for this class will be outlined in your Assignment Sheets. Keep in mind that part of what you are learning in this course is how lawyers and other professionals conduct themselves and adhere to professional norms of conduct and behavior. Failure to follow these rules may result in a violation of the Student Honor Code.

Generally, all documents for this course will be submitted via the Assignment Drop Box on the TWEN site as a file attachment; such electronic submission will be timely if I receive it before the beginning of the class in which it is due (unless another time is stated on the Assignment Sheet).

Formatting, Fonts, and Page Limits

I will detail the page limits for each assignment. Directions will be found in the Assignment Sheet and explained in class.

Here are general rules to follow (unless directed otherwise on your Assignment Sheet):

- All work is to be on 8 ½" x 11" white paper, using Times New Roman 12 point font.
- Set margins at one-inch all around.

- Single space the document, with double space around headers and between paragraphs.
- Insert page numbers on the lower, center of the page. Do not insert a page number on the first page. (This may affect the document's pagination, so adjust accordingly.)
- Fully-justify the document
- Include your banner ID number on your paper.
- For assignments other than memoranda**, put your ID number, date, and assignment title in the upper left hand corner of the document.
- For memoranda assignments**, use the memorandum header below:

MEMORANDUM

TO: Professor Maikieta Brantley
 FROM: ID #
 RE: Client Name: Issue
 DATE: _____, 202X

Please do not tinker with font size or the spacing of the lines of your papers to try to cram more words on a page. Please do not embellish your assignments with elaborate graphics, italics, or other modified lettering, unless required by the applicable citation rules or by specific instructions I provide.

Citation

For your assignments, I require that you follow the rules set out in the Bluebook Citation Manual, which is used by most law schools, courts, and law reviews. The citation form in the Bluebook is the form likely to be used by the vast majority of competent practicing lawyers and that is why we ask you to follow it carefully.

Professionalism and Deadlines

Professional behavior is critical for all lawyers, and this course begins your introduction to the standards of conduct and performance expected of all lawyers. Because lawyers learn quickly the importance of meeting deadlines, I will hold you to strict deadlines for all assignments. The basic rule is that for you to pass the LP course, all assignments must be completed to my satisfaction, all assignments must be turned in on time, and each assignment must meet what I consider to be the acceptable standard for work in the course. I do not have to accept and review a paper if it was submitted late or if you turned it in at the wrong place. Generally, I impose a 10 percent penalty for each 24 hour period an assignment is late. A student's failure to perform or complete any assignment in the course, whether graded or ungraded, interim or final, means that student risks failing the course if he or she does not remedy the situation immediately. At the very least, if a student fails to comply with the rules for an assignment, the student may forfeit the opportunity to have the benefit of my critique or feedback, and will be at a serious disadvantage for passing the later graded assignments. I may make exceptions to the rules for legitimate and serious emergencies, or when you have obtained my permission in advance.

Grading

LSS is a “paper” course – not an “examination” course. As a result, your work is cumulative during the semester, and there is no final examination. Your grade at the end of the semester will be calculated as follows:

10% Professionalism and Credit/No Credit Assignments
10% Research Email to Senior Attorney
20% First Research Memorandum
10% In Class Research Assignment
50% Second Research Memorandum

Review of Written Work

You may obtain free individual tutoring through the Legal Writing Center (“Center”). Several outstanding law students, known as Legal Writing Fellows (“Fellows”), staff the Center. They are able to help you with legal writing, research, and citation issues as well as style and usage questions. However, the Fellows are prohibited from assisting you with any graded assignment before you submit it. You may email c_law_legal_writing_center@central.uh.edu using your UH email address to schedule a virtual appointment with a Fellow. Virtual drop-ins on the UH Legal Writing Center Team site during weekly office hours are also welcome. At any point during the semester, I may require or recommend that you meet with a Fellow.

Student Resources

The University of Houston offers Counseling and Psychological Services (CAPS) to 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 available at convenient locations and hours around campus http://www.uh.edu/caps/outreach/lets_talk.html.

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

Reasonable Academic Adjustments/Auxiliary Aids

The University of Houston complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, pertaining to the provision of reasonable academic adjustments/auxiliary aids for disabled students. In accordance with Section 504 and ADA guidelines, UH strives to provide reasonable academic adjustments/auxiliary aids to students who request and require them. If you believe that you have a disability requiring an academic

adjustments/auxiliary aid, please contact the Justin Dart Jr. Student Accessibility Center (formerly the Justin Dart, Jr. Center for Students with Disabilities).

This syllabus is subject to change upon notice in class and/or via TWEN postings and emails