

LAWYERING SKILLS AND STRATEGIES • COURSE INFORMATION SHEET • SPRING 2024
SECTION C1 • COURSE 6207 • SECTION 12685 • F2F

Whitney Werich Heard

Email: wwheard@central.uh.edu

Telephone: 713-743-0910

Office: 342G

Course Objectives

Lawyering Skills and Strategies (“LSS”) 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 Citation: Familiarity with advanced legal citation rules and the ability to apply them correctly.
- 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 information.
- Legal Drafting: Knowledge of the considerations underlying contract negotiation and the ability to draft a contract that addresses the client’s needs effectively.

Canvas Learning Management System

Canvas is the online Learning Management System that you will use to access LSS course content, upload LSS assignments, and interact online with me and your classmates. You will need to check the Canvas site for LSS frequently.

Course Materials

The required course materials are listed below.

- An Advocate Persuades (1st ed. 2016), by Joan Malmud Rocklin et al. (“Advocate Persuades”). You may purchase or rent a print or eBook version of the first edition of this text: do not purchase the second edition published in December 2022.
- An Introduction to Contract Drafting (2d ed. 2013), by William K. Sjostrom, Jr. (“Contract Drafting”). You may purchase or rent a print or eBook version of this text.
- The Greenbook: Texas Rules of Form (15th ed. 2022), published by the Texas Law Review (“Greenbook”). Please purchase a print version of this text.
- The Bluebook: A Uniform System of Citation (21st ed. 2020), published by the Harvard Law Review Association (“Bluebook”). Please keep your print version of The Bluebook.

- The Bluebook Uncovered: A Practical Guide to Mastering Legal Citation (21st ed. of The Bluebook), by Dionne E. Anthon (“Bluebook Uncovered”). This free e-book is available online by clicking [here](#).
- You should still have your passwords for the online legal research providers LexisNexis and Westlaw. If you do not, please let me know immediately.

The recommended course materials from last semester are listed below for your convenience.

- Manual on Usage & Style (15th ed. 2020), published by the Texas Law Review.
- The free writing assistant Grammarly, available at <https://www.grammarly.com/>

Throughout the semester, I may supplement the readings assigned in the texts. The supplemental readings will be posted on Canvas. The supplemental readings will be identified by their class handout number (e.g., “Class 1B Handout”).

Attendance

The mode of instruction for this course is face-to-face (F2F): it is scheduled to meet on Tuesdays from 1:00 p.m. to 2:00 p.m. and on Thursdays from 2:00 p.m. to 3:00 p.m. in **Room 211**.

Please note that class sessions may be added or adjusted throughout the semester. Any additions or adjustments will be reflected in the syllabus and/or announced via email. For example, you will be required to attend one workshop hosted by the Legal Writing Center this semester. The workshop will take place outside of our regularly scheduled class time. As soon as the dates and times for the Legal Writing Center’s workshops are finalized, I will let you know.

Attendance is mandatory. Attendance will be taken during each class session, which includes conferences and workshops. I reserve the right to count you as absent if you arrive more than ten minutes late or leave more than ten minutes early. If you cannot attend a class session, it is your responsibility to contact me in advance of the session (barring an emergency that prevents you from doing so). The Law Center has a minimum 80% attendance policy for students. 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 refer you to the Office of Student Affairs to discuss your continued enrollment in the course.

If you observe religious or cultural holidays that will conflict with class sessions, including conferences and workshops, please let me know so we can discuss alternative arrangements.

Class Sessions

Class sessions will emphasize collaborative and interactive learning through exercises and discussions. Accordingly, I expect that you will need to use an electronic device during class to access class materials, to complete class activities, and to take notes.

However, you should refrain from the impermissible use of electronic devices during class. Impermissible use includes, but is not limited to, completing assignments for other courses; engaging in electronic communication that is unrelated to class activities; visiting websites unrelated to class activities; playing games, listening to music, or watching videos that are unrelated to class activities. The impermissible use of an electronic device repeatedly during class sessions may affect your final grade in this course.

Class sessions **will** be recorded this semester. Your contributions during class sessions may be included in the recording, and your continued registration in this course indicates your acquiescence to any such recording.

You may not record all or part of a class session, livestream all or part of a class session, or make/distribute screen captures without my prior express authorization. If I authorize a class session to be recorded, you may use the recording for your personal studying and notetaking only. You may not share the recording with any other person or on any other platform without my prior express authorization. Failure to comply with requirements regarding recordings may result in disciplinary action.

LSS Videos

In order to participate fully during class sessions, you must watch the assigned LSS Video in advance of the related class session to be introduced to the topic (e.g., you should watch the LSS Video for Class 1B in advance of the “Advanced Legal Citation: Parentheticals” class session on January 18). These LSS Videos are intended for your education only. They should not be shared with any other person without my prior express authorization.

My expectation is that you will watch each LSS Video in a distraction-free setting that will allow you to take detailed notes in preparation for the related class session. While I may highlight important points from the LSS Video when introducing activities and answering questions during the class session, I will not review the topic in its entirety.

A link to each LSS Video will be available on Canvas. If you encounter any problems accessing an LSS Video on Canvas, please let me know immediately.

Conferences

You are required to attend an individual conference with me this semester to discuss the Graded Motion. This conference will take place on Zoom. You will schedule the conference on Canvas, and I will email you the Zoom link in advance of your conference. If you need to reschedule this conference, please do so before the originally scheduled conference time. Otherwise, your failure to appear for the scheduled conference will be counted as an absence, and you may not be allowed to reschedule.

This semester, you are also expected to attend at least one group study hall to discuss the Graded Contract. These study halls will take place the last week of the semester.

Office Hours

If you have any questions about the course, please ask me. I will have **online** office hours on Mondays and Fridays from 4:00 p.m. to 5:00 p.m. on Zoom: I will email you the Zoom link the first week of classes. I will also offer **in-person** office hours on Tuesdays and Thursdays from 3:00 p.m. to 3:30 p.m. and by appointment in Room 342G.

I may not hold regular office hours during weeks in which I hold conferences. If I change my regularly scheduled office hours, I will notify you by email.

Legal Writing Center

You may obtain free individual tutoring through the Legal Writing Center (“Center”), which is located on the fourth floor of the Law Center Library in Room 413B. 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 an appointment with a Fellow. Drop-ins during weekly office hours are also welcome. At any point during the semester, I may require or recommend that you meet with a Fellow.

Class Preparedness, Participation, and Professionalism

As future attorneys, I expect you to uphold the professional standards of a lawyer-in-training throughout the semester. Accordingly, before attending a class session, you are expected to complete the assigned readings, videos, and practice exercises. I reserve the right to lower your final course grade by one-third of a letter grade (e.g., from a B+ to a B) if you habitually fail (1) to prepare for class, (2) to participate actively in class (3) to complete quizzes and practice exercises, or (4) to show respect for me and your classmates. I also reserve the right to lower your final course grade by one-third of a letter grade (e.g., from a B+ to a B) if you impermissibly use an electronic device repeatedly during class sessions.

[Ungraded] Formative Assessments

Throughout the semester, I will provide feedback on your performance and competence based on your participation in class activities and your completion of quizzes and practice exercises. This feedback will help you hone the lawyering skills you need to succeed in LSS and in practice.

Quizzes

To assess your understanding of the subjects covered, I may require you to take a quiz on an LSS topic during a class session or outside of a class session. The habitual failure to complete quizzes in a timely and satisfactory manner may affect your final grade.

Practice Exercises

Throughout the semester, I will assign frequent practice exercises, which you must complete to my satisfaction. Some practice exercises will be used during class sessions only. Other practice exercises will be submitted to me for feedback. 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. Be sure to retain a copy of your practice exercises. The failure to make a good faith effort on practice exercises and submit them in a timely manner may affect your final grade.

[Graded] Summative Assessments

Your performance and competence will also be graded. Your final grade this semester will be based on the following anonymous assessments, subject to any adjustments identified in this course information sheet:

- **LSS Exam (25%)**
- **Graded Motion Assignment (50%)**
- **Graded Contract Assignment (25%)**

Knowing how to budget and manage time is an essential lawyering skill, so I expect all graded writing assignments to be submitted on time. If a graded writing assignment is more than fifteen minutes late, I may deduct 10% of the total points for the first hour (or part of the hour) that the graded writing assignment is late. After the first hour, I may deduct an additional 10% of the total points for every hour that the graded writing assignment is late.

I will consider extensions for true emergencies only. Be advised: computer problems and routine illnesses do not constitute true emergencies.

The Law Center uses an anonymous-grading system to ensure fairness in grading. You will be assigned a new exam number this semester. You must use your new exam number, instead of your name, on all graded assignments. You should not share your new exam number with me before the release of final grades.

Mandatory Course Curve

J.D. students in this course are subject to a mandatory curve in the range of 3.20 to 3.40.

Mandatory First-Year Grade Distribution

In addition to the mandatory course curve, the following grade distribution is mandatory for J.D. students in all first-year courses, including LSS:

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

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 page.
- Use one-inch margins on all sides.
- Place page numbers in the bottom center of each page.
- Print on one side of each page only [if a hard copy is requested].
- Staple your paper in top left corner [if a hard copy if requested].
- Adhere to all other requirements stated in the instruction sheet.

Honor Code

The Law Center’s [Honor Code](#) applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and complying with the Honor Code. Unless you have my prior express authorization, it is an Honor Code violation to review graded assignments distributed to, or written by, any LSS students from prior years.

Questions regarding how the Honor Code’s provisions apply to specific activities or situations may be directed to me or the Faculty Advisors for the Honor Board. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

Generative Artificial Intelligence (AI) Tools

Generative AI tools trained on large language models generate human-like text in response to prompts. Examples of current Generative AI tools include ChatGPT, Bing Chat, and Google’s Bard. Generative AI tools are an evolving technology, and this technology will continue to evolve throughout this academic year and beyond.

My policy for this course this semester is that you may use Generative AI tools that do not require a paid subscription, as much or as little as you like. With that being said, I firmly believe that you should avoid using Generative AI to complete your course work for the following reasons:

- As a 1L, you must learn how to research, analyze, write, and cite like a lawyer in order to succeed in law school and in practice. You will learn more and retain more at this early stage when you practice these skills and work through any struggles, rather than having a Generative AI tool do the work for you.
- Your work in this course will be reviewed and graded exactly as if you had completed it yourself without using a Generative AI tool. You're entirely responsible for any errors or omissions resulting from your use of Generative AI tools: I will not accept using a Generative AI tool as an excuse for any error or omission in your course work.

If you have any questions about the uses, limits, pitfalls, and ethics of using Generative AI, please do not hesitate to reach out to me.

Zoom Etiquette and Expectations

Access to a webcam is required for students participating in this course. Webcams must be turned on in accordance with this Zoom Etiquette and Expectations section.

In order to make online conferences and office hours as engaging and effective as possible, you should plan to participate fully with audio and video. If you are unable to participate with both audio and video, please let me know in advance.

Additional expectations for Zoom etiquette include the following:

- Access the Zoom link at least a few minutes before the scheduled time. If you run into difficulties, email me at wwheard@central.uh.edu.
- If your Zoom username isn't your full name or chosen name, please rename yourself accordingly.
- When you join Zoom, turn on your video camera. If I notice that you are turning your video camera off for an extended amount of time, I may contact you to see if everything is okay.
- Most importantly, I will exhibit flexibility, patience, and kindness as issues arise. I hope that you will do the same.

Cougarnet Email and Resources for Online Learning

Please check and use your Cougarnet email for communications related to this course. Faculty use the Cougarnet email to respond to course-related inquiries in accordance with FERPA (The Family Educational Rights and Privacy Act). To access your Cougarnet email, [login](#) to your Microsoft 365 account with your Cougarnet credentials. For instructions on how to connect to your Cougarnet email on a mobile device, visit the University Information Technology (UIT) website.

The UH System is committed to student success and provides information to optimize the online learning experience through our [Power-On](#) website. Please visit this Power-On website for a comprehensive set of resources, tools, and tips including obtaining access to the internet, AccessUH and Canvas; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance, contact UHOnline@uh.edu.

Reasonable Academic Adjustments and Auxiliary Aids

The Law Center and the UH System are committed to providing an academic environment and educational programs that are accessible for its students.

Any student with a disability who is experiencing barriers to learning, assessment, or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting its website at <https://uh.edu/accessibility/>, by calling (713) 743-5400, or by emailing JDCenter@central.uh.edu.

If you anticipate or experience barriers based on a disability (including any chronic or temporary medical or mental health condition), you should also contact Ms. Samantha Ary, Academic Records Coordinator for the Law Center, to discuss your options for support services. Ms. Ary offices in the Student Services Suite in Room 240E. She can be reached at sary@central.uh.edu or 713-743-7466. Requests that involve graded assignments must be directed to Ms. Ary, and they should be made as soon as possible to allow adequate time to document and process the request.

Respect When Addressing Students

I want to address each of you in a manner that corresponds to and respects your name and identity. Please feel free to reach out to me at any time if you want to make me aware of your chosen name, pronouns, or if you have concerns about how I address you, including the pronunciation of your name. You may call me “Professor Heard” or “Prof. Heard.” My pronouns are she/her/hers.

Mental Health and Wellness Resources

The UH System has a number of resources to support students’ mental health and overall wellness, including [CoogsCARE](#), the UH Go App, and the [A.D. Bruce Religion Center](#) for spiritual support and programming.

UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment, and sadness. CAPS

provides individual and couples counseling, group therapy, workshops, and connections to other support services on and off-campus. For assistance, visit www.uh.edu/caps, call 713-743-5454, or visit a [Let's Talk](#) location in-person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

The [Student Health Center](#) offers a [Psychiatry Clinic](#) for enrolled UH students. You may call 713-743-5149 during clinic hours, Monday through Friday from 8:00 a.m. to 4:30 p.m. to schedule an appointment.

If you or someone you know is struggling or in crisis, immediate help is available. CAPS crisis support is available 24/7 by calling 713-743-5454, and the National Suicide and Crisis Lifeline is available by call or text at 988 or by chat www.988lifeline.org.

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 by calling 800-343-8527. TLAP's website includes a page with links to sources about mental health that are of interest to law students: <https://www.tlaphelps.org/law-students>.

Anti-Discrimination and Title IX/Sexual Misconduct Policies

The Law Center and the UH System 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 experience an incident of discrimination or sexual misconduct, a confidential reporting process is available to you. For more information, please refer to the [Anti-Discrimination Policy SAM 01.D.07](#) and [Sexual Misconduct Policy SAM 01.D.08](#).

Under the UH System Sexual Misconduct Policy, as your instructor, I am a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which I become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

Security Escorts and Cougar Ride

The UH Police Department (UHPD) continually works with the UH community to make the campus a safe place to learn, work, and live. The security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a

UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety, please call 713-743-3333. Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called Cougar Ride that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go App. Days and hours of operation can be found at <https://uh.edu/af-university-services/parking/cougar-ride/>.

Course Information Sheet and Syllabus Updates

I may need to update the course information sheet and syllabus during the semester. Notice of such updates will be announced as quickly as possible through Cougarnet email and/or Canvas. I appreciate your understanding and flexibility should the need for an update arise.

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CLASS PERIODS	CLASS TOPICS	CLASS READINGS AND VIDEOS	ASSIGNMENTS FOR SUBMISSION
January 16	No LSS Class – UH Closed due to Inclement Weather.		
Class 1B January 18*	Advanced Legal Citation: Case History and Parentheticals	<i>Bluebook Uncovered</i> pp. 123-130, 151-166 LSS Videos	None
Class 2A January 23	Advanced Legal Citation: <i>The Greenbook</i>	LSS Handout LSS Video	Case History Citation Exercise
Class 2B January 25	Advanced Legal Citation: <i>The Greenbook</i>	None	Parentheticals Citation Exercise
Class 3A January 30	Advanced Legal Citation: Signals	<i>Bluebook Uncovered</i> pp. 219-227 LSS Video	Research Refresher Exercise
Class 3B February 1	Legal Writing Beyond the First Year: Scholarly Writing	LSS Handout <i>Bluebook Uncovered</i> pp. 295-301 (Appendix)	<i>The Greenbook</i> Citation Exercise
Class 4A February 6	Introduction to Legal Persuasion	<i>Advocate Persuades</i> pp. 3-14, 99- 107, 187-216 LSS Video	Signals and Scholarly Writing Citation Exercise
Class 4B February 8	Persuasive Writing: Persuasive Rules	<i>Advocate Persuades</i> pp. 161-174	Persuasive Rule Statement
Class 5A February 13	Persuasive Writing: Persuasive Arguments	<i>Advocate Persuades</i> pp. 174-185, 111-125 LSS Video	Persuasive Expansion and Application
Class 5B February 15	Persuasive Writing: Persuasive Facts	<i>Advocate Persuades</i> pp. 251-279 <i>Bluebook Uncovered</i> pp. 93-102 LSS Video	Persuasive Statement of Facts
Class 6A February 20	Persuasive Writing: Motion Practice	<i>Advocate Persuades</i> pp. 23-31, 39- 59, 217-227 LSS Handout LSS Video	Persuasive Introduction and Conclusion

* Class 1B will be a combined class that meets on Thursday, January 18, from 1:00 p.m. to 2:40 p.m. in Room 211.

Class 6B February 22	Persuasive Editing Techniques	<i>Advocate Persuades</i> pp. 281-310	The Pre-Trial Motion [Ungraded] is due by Sunday, February 25.
Class 7A February 27	LSS Exam Review	None	Study for the LSS Exam
Class 7B February 29	The LSS Exam will be administered during a combined class on Thursday, February 29, at 1:00 p.m.		
Class 8A March 5	Legal Writing Beyond the First Year: Appellate Advocacy	LSS Handout [†] LSS Video	No assignments for submission due
Class 8B March 7	Legal Research for Motion	Review Legal Research Module 1 through Module 4, as needed	Legal Research for Motion Exercise
March 11- March 16	No LSS Classes – Spring Break.		
March 18- April 3	Individual Conferences (Graded Motion) will be held in addition to LSS Class after Spring Break. Participation is mandatory.		
Class 10A March 19	Contract Drafting I: Parts of a Contract	<i>Contract Drafting</i> pp. 1-21 LSS Video	No assignments for submission due
Class 10B March 21	Contract Drafting I: Parts of a Contract	None	No assignments for submission due
Class 11A March 26	Contract Drafting II: Contract Terms	<i>Contract Drafting</i> pp. 21-35 LSS Video	No assignments for submission due
Class 11B March 28	Contract Drafting II: Contract Terms	None	No assignments for submission due
Class 12A April 2	Contract Drafting III: Drafting Process	<i>Contract Drafting</i> pp. 43-52 LSS Video	No assignments for submission due
Class 12B April 4	Contract Drafting III: Drafting Process	None	No assignments for submission due

[†] For a more detailed discussion of appellate advocacy, including oral argument, read pp. 61-98, 229-250, and 311-364 in *Advocate Persuades*.

April 7	The Graded Motion is due by 11:59 p.m. on Sunday, April 7.		
Class 13A April 9	Contract Drafting IV: Drafting Style	<i>Contract Drafting</i> pp. 35-43 LSS Video	No assignments for submission due
Class 13B April 11	Contract Drafting IV: Drafting Style	None	No assignments for submission due
Class 14A April 16	Legal Writing Beyond the First Year: Judicial Opinion Writing	LSS Handout LSS Video	No assignments for submission due
Class 14B April 18	Legal Writing Beyond the First Year: 1L Summer	None	No assignments for submission due
Class 15A April 23	Graded Contract Study Hall (Required)	None	No assignments for submission due
Class 15B April 25	Graded Contract Study Hall (Optional)	None	No assignments for submission due
April 28	The Graded Contract is due by 11:59 p.m. on Sunday, April 28.		

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