Legal Analysis and Writing
LAW 6369-18897
Spring 2025
Prof. Catherine Meshkin
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Course Objective:

This course will focus on developing the skills necessary to succeed on each of the three sections of the Uniform Bar Exam (UBE). The course will provide instruction, as well as opportunities to practice and hone the skills taught, so that students will be adequately prepared to perform each task required on both days of the Exam.

Goals:

- To provide an overview of the UBE
- To teach systematic problem-solving skills to enable students to succeed on the MBE
- To teach essay writing skills to enable students to write high scoring essays, as well as writing for the MPT
- To provide students with opportunities to self-reflect and garner a better understanding of the tools and skills necessary to successfully prepare for the UBE

Learning Outcomes:

- Students will execute essays and MPTs in an organized manner with clear rule statements and robust application sections
- Students will approach multiple choice questions with our three-step process and correctly identify the answer
- Students will complete simulated bar exams under timed conditions

Class sessions:

Class Times, Mode of Instruction:

- In-person
- Tuesdays and Thursdays 10:30-12pm

Students will each be required to attend mandatory one-on-one advising sessions 3 times during the semester (the one-on-one advising session times will be set on an individual basis)

Reading Material:

Required:

BarBri Binder –A digital copy is available on the class webpage.

Adaptibar (adaptibar.com) – We will discuss enrollment in class after the semester begins.

There is an online classroom component called Matrix. You will use Matrix to submit most assignments. You will receive an email with login information to access the Matrix page. If you do not receive the email by the first day of class, please let me know ASAP. You can access the course site at https://barbri.matrixlms.com/

We will also use Canvas. Additional content will be added to the website throughout the semester, as well. While I will notify you when additional material is added, please plan to check the class website on a regular basis.

Recommended (for preparation for the MBE section), but not required:

- Stephen Emmanual, Strategies & Tactics for the MBE (5th ed. 2015)

Office hours:

If you have any questions about the course, please ask me! Questions are welcome and encouraged. Please check and use your Cougarnet email for communications related to this course. To access this email, login to your Microsoft 365 account with your Cougarnet credentials.

If you have any questions, comments, or concerns, or would like to discuss preparing for the bar exam, you may reach out to me. Please make an appointment if you have questions about the course, any assignments, and bar preparation and licensing. During our appointment, we can review questions together, discuss study strategies, discuss the bar preparation process, and explore any questions, thoughts, or concerns you have about the course.

You may also reach out to Professor Davis with any questions, comments, or concerns about this course or the bar exam in general. She can be reached at mlwilso3@central.uh.edu or 713.743.3226 (work).

Attendance Requirement:

80 percent attendance in class is required. (This means each student has a five-absence limit.) I will take roll at the beginning of class. To be counted present, you must be in attendance *for the entire, and not part,* of the class session. If/when class is occurring on Zoom, that means that you will need to be logged in throughout the class session **with the camera on.** Those individuals not satisfying the attendance requirement will be reported to UH Law Center administrative officials and may be dropped from, or fail, the course.

Given the on-going COVID-19 pandemic, you can expect some flexibility with the attendance policy and policies to make up class. But I am only able to assist you when I know your needs. Please do not hesitate to reach out if you have any difficulties this semester.

Excused Absence Policy:

Regular class attendance, participation, and engagement in coursework are important contributors to student success. Absences may be excused as provided in

the University of Houston Undergraduate Excused Absence Policy and Graduate Excused Absence Policy for reasons including: medical illness of student or close relative, death of a close family member, legal or government proceeding that a student is obligated to attend, recognized professional and educational activities where the student is presenting, and University-sponsored activity or athletic competition. Under these policies, students with excused absences will be provided with an opportunity to make up any quiz, exam or other work that contributes to the course grade or a satisfactory alternative. Please read the full policy for details regarding reasons for excused absences, the approval process, and extended absences. Additional policies address absences related to military service, religious holy days, pregnancy and related conditions, and disability.

Grading:

This class is pass/fail.

To recognize the effort you put into this class from week to week, your grade will be spread across the semester. Your grade will be taken, in part, from completion of assignments, individual conferences, a class presentation, essays, MPTs, and MBEs you will begin in class and rewrite open note outside of class for a grade. The goal of these assignments is to give you an opportunity to engage with the material and strategies.

Part of your grade will come from rewriting your initial response, if requested.

Please note: To pass this class you are required to complete 100% of all assignments (including those assigned for completion out-of-class). The failure to timely complete 100%, including any requested re-writes, will result in a failing grade for the class.

Student Participation:

You are expected to discuss the assigned material in depth, so please make a commitment to be prepared. Your advanced preparation gives you the best opportunity to correctly synthesize and participate in our class discussion. Be prepared to actively engage – including reading all assigned passages and completing any and all out of class assignments.

While the class is pass/fail, students with poor class participation may have their final grade dropped from passing to failing. The decision to drop a grade for participation is at my discretion and is non-negotiable. A drop in grade due to failure to participate in class can result from a combination of unpreparedness, not paying attention in class, and absences (even if you are within the five-absence limit). Note that volunteering every class does not constitute a substantial contribution—quality, not quantity matters.

If class occurs online for any reason, your camera should be on during the entire session. You are welcome to use a virtual background, provided it is school appropriate. If this is a problem, please reach out to me individually.

Student Responsibilities When Absent:

If a student is absent from class, the student has the obligation to reach out to the instructor, obtain all missed content, and submit all missed assignments. To assist in this effort, class assignments and presentations are posted to the BarBri Matrix or Canvas after each class. *The missed material must be completed and submitted to the instructor prior to the next class meeting*. Failure of the instructor to post the assignments does not relieve the student of the duty to reach out and ask for the missed assignments in a timely manner. For example, if a student misses a Tuesday 6pm class (of a T/Th 6-7:30pm class section), the student must complete all assignments from that class meeting before class begins on Thursday at 6pm. Any assignment not timely completed may result in the student failing the class or the student may have to complete additional assignments. Late assignments will not be accepted.

Honor Code:

The UHLC Honor Code applies to all aspects of this class. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please ask me if you have any questions regarding how the Honor Code's provisions apply to specific activities or situtations related to my course.

Failure to comply – in any respect – with the UHLC Honor Code will result in referral to the UHLC Honor Court, and may result in you failing this class and, potentially, other sanctions as determined by the UHLC Honor Court.

Of note, unless otherwise specifically instructed, all assignments are to be completed individually and you may not consult the internet, peers, or other resources not specifically included in the assignment instructions. Your work product must be exclusively your own, with help from no other person or technological system; not artificial intelligence systems may be a part of your process to generate assessment work product. It is an honor Code violation to review the graded assignments distributed to, or written by, any of my students from prior years.

Students may be asked to sign an honor code statement as part of their submission of any graded work including but not limited to projects, quizzes, and exams: " *I understand and agree to abide by the provisions in the (select: University of Houston Undergraduate Academic Honesty Policy , University of Houston Graduate Academic Honesty Policy). I understand that academic honesty is taken very seriously and, in the cases of violations, penalties may include suspension or expulsion from the University of Houston."*

Computer and Phone Use:

The use of personal computers in the classroom is permitted solely for the purpose of completing class assignments (i.e. MPT, essays). Specifically excluded from in-class computer usage is anything beyond these activities, e.g., "surfing the web"

and messaging. Nonparticipation and non-responsiveness in the classroom discussion attributable to diversionary uses of your personal computer or phone constitutes an absence from the class. The use of other electronics, including recording devices, is prohibited during class time. Please be sure that all noise-making devices, including cell phones, are in silent mode or powered off. Phones should be put away during class.

Your camera should be on during all class sessions that (may) occur virtually. You are welcome to use a virtual background, provided it is school appropriate. If this is a problem, please reach out to me individually.

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with *anyone* without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Instructor Evaluations:

Please feel free to provide me with feedback and comments during the course of the semester as they will help me improve this program. I will carefully consider all of the comments and suggestions that I receive. Professor Davis would also love any feedback you have about the class, professor, or suggestions for how we may better support our students during the bar exam.

COVID-19 and Vaccine Information:

Students are encouraged to visit the University's COVID-19 website for important information including diagnosis and symptom protocols, on-campus testing, and vaccine information. Please check the website throughout the semester for updates.

Recording of Class:

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with *anyone* without the

prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Inclusion and Wellness:

This is an inclusive learning space.

At UHLC, we are committed to ensuring inclusive online and classroom learning spaces, where you'll be treated with respect and dignity, and where everyone is provided the equitable opportunity to participate, to contribute, and to succeed.

In this course, all students are welcome regardless of socio-economic status, age, race, ethnicity, disability, religion, national origin, veteran status, sex, sexual orientation, gender identity, gender expression, political affiliation, marital status, and other diverse identities that we each bring to class. Our class is richer for this diversity.

Inclusive learning spaces facilitate the innovation and creative thought that enhance student success. This success arises from the participation, support, and understand of you and your colleagues. I encourage you to speak up and share your views, but also understand that you are doing so in a learning environment in which we're all expected to engage respectfully and with regard to the dignity of all others.

If you feel like your class performance is impacted in any way by your experiences inside or outside of class, please reach out to me. I want to be a resource for you. If you feel more comfortable speaking with someone besides me, Student Services is an excellent resource: 713.743.2182. Finally, I encourage you to bring any issues negatively impacting UHLC's openness to diversity and inclusion to the Law Center's Diversity and Inclusion Committee. The D&I Committee's charge includes "[b]uilding on the Law Center's strengths as a diverse and inclusive environment." You can contact the committee directly at UHLCD&I@uh.edu .

Your suggestions are encouraged and appreciated. Please let me know ways to improve the effectiveness of this course for you personally, or for other students or student groups.

Chosen Names and Preferred 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 – and honorifics such as Rev., Mr., Ms., Mx., Dr., will be respected in my classroom. Please 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 concerns about how I or your classmates address you.

Your instructors pronouns will be discussed in class. You may address me with my title, Professor.

Prohibited Use of Artificial Intelligence:

The software technology known as artificial intelligence has recently expanded its capability to generate text and other work product (AI Generated Work Product). Examples of the technology include what are known as "generative" large language models (LLMs), and a specific implementation that is well known to the general public is ChatGPT. These systems can generate text and other work product in response to prompts and/or input of other text/documents/code/images. The output, the AI Generated Work Product, appears to have human-mimicking "intelligence" and is thus potentially useable as a substitute for material one might generate themselves. AI Generated Work Product an include computer code or programs as well as human language content and materials.

Your continuing enrollment in this course obligates you to not knowingly prompt, generate, or use any AI Generated Work Product in relation to any activity or assessment in this course. This applies to AI Generated Work Product from yourself or others. This obligation includes that your assessment materials in the course be without any contribution from AI Generated Work Product. This obligation specifically extends to not plagiarize any writing required of you for assessment in this course. AI Generated Work Product will be treated as from another/others in applying the plagiarism policy to this course. The term "assessment" means any material generated for this course that is submitted to the instructor or presented in a class session, regardless whether it is graded content or not. Assessments include midterms, interim assignments, and final exams. AI Generated Work Product may not be used in the development or drafting of any assessments created by you in a non-proctored environment, such as a "take-home" final examination.

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).

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), please feel free to reach out to me so that we may discuss options. If you require any support services, you may contact Ms. 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 document and to process the request.

If you observe religious or cultural holidays that will coincide with synchronous class sessions or conferences, please let me know as soon as possible, so that we may make arrangements.

Counseling and Psychological Services:

The University of Houston's 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 or hopeless. You can reach CAPS by calling 713-743-5454 during and after business hours for routine appointments of if you know someone who is in crisis. No appointment is necessary for the "Let's Talk" program (http://www.uh.edu/caps/outreach/lets_talk.html), a drop-in consultation service at convenient locations and hours around campus.

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 sources about mental health that are of interest to law students: https://www.tlaphelps.org/law-students.

Anti-Discrimination and Sexual Misconduct Policies:

UHLC and the University are committed to maintaining and strengthening an educational, working, and living environment in which 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 Sexual Misconduct Policy SAM 01.D.08.

Please be aware that under the sexual misconduct policy, 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.

Per the UHS Sexual Misconduct Policy, your instructor is 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 they 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:

UHPD continually works with the University community to make the campus a safe place to learn, work, and live. Our 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/.

Resources for Online Learning:

The University of Houston is committed to student success, and provides information to optimize the online learning experience through our Power-On website. Please visit this 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.

UH Email:

Please check and use your Cougarnet email for communications related to this course. To access this email, login to your Microsoft 365 account with your Cougarnet credentials.

Other UH Resources can be found on the Main Campus webpage, including policies regarding:

- _Non-Discrimination Statement
- _Center for Diversity and Inclusion

- _Center for Students with DisABILITIES
- _LGBTQ Resource Center
- _Cougars in Recovery
- _Counseling and Psychological Services (see Section XIII)
- _Veterans Services
- _Cougar Cupboard
- _CoogsCare (student assistance resources)
- _DACA: What You Need to Know
- _Student Health Center
- _Wellness

Proposed Course Outline:

A separate proposed schedule for the semester ("Syllabus Part Two") will be distributed by the instructor shortly before the beginning of the semester. It will include class assignments, homework, and relevant dates of assessments. The instructor may, of course, modify it as the semester progresses, to achieve course objectives.

Our first unit is Introduction to the Bar Exam and Torts.

Syllabus Changes:

The instructor may need to make modifications to the course syllabus and may do so at any time. Notice of such changes will be announced as quickly as possible through email and the class website.

Assignments for the first week of class:

No preparation is required for the first class.

Each class, please bring your computer, something to take notes on/with, your textbook, and your online resources.

- First Class
  - Overview of the UBE
  - Get to know you
  - HW: Watch the BarBri Matrix Torts videos and complete 1) the 3 AMPs for Negligence; Duty of Care, Breach and Causation, and Defenses and Damages, and 2) the Initial Learning Quiz (See Calendar for deadlines)

- Second Class
    - Student will complete the online assessment, found on the BarBri Matrix, prior to the beginning of the second class.
    - HW: Watch the BarBri Matrix Torts videos and complete 1) the 3 AMPs for Negligence; Duty of Care, Breach and Causation, and Defenses and Damages, and 2) the Initial Learning Quiz (See Calendar for deadlines)