

# Lawyering Skills & Strategies I

*Professor Lauren Simpson*

Fall 2013 • Sections E-1 and E-2

## Course Information Sheet

(Revised August 8, 2013)

### Course Objectives

**Lawyering Skills and Strategies I** will focus on an introduction to the American legal system and the underlying skills and strategies that lawyers must possess to succeed within it. By working through fact-specific problems both inside and outside the classroom, students will learn to identify legal issues; to locate and to assess the governing law; to gather initial facts from the client; to communicate with the client; to analyze legal issues within the context of particular fact patterns; to cite to the governing law; and to write clear and concise documents that reflect that legal analysis or that address the client's transactional needs.

### Words of Advice for LSS I

I have two words of advice for my students.

First, start early and get ahead on your reading for the fall. The fall semester—being filled with the many basics of legal practice and, frankly, being just so new and different—gets very busy very quickly. So getting ahead of schedule will serve you well, especially as the semester progresses and exams approach. Do it if at all possible.

Second, the more effort that you put into this course, the more that you will get out of it. I strive to give each student detailed feedback on every assignment, graded or not. And the more developed your submitted assignments are, the more commentary I can give on them, and the better they will serve as teaching tools tailored to your needs.

### Class Attendance and Schedule

This class is held on **Mondays and Thursdays from 7:30 p.m. to 9:00 p.m. in Room 240 TU2**. Any changes to the regularly scheduled meeting time and location for the course are reflected in the syllabus or will be announced by email.

In accordance with the Law Center attendance rules, you may miss no more than **three** scheduled classes or mandatory class activities. On the **fourth** absence, you must report to Dean 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 or if you come unprepared to participate, I reserve the right to count you absent.

### Office Hours and Contact Information

If you have any questions about the course or class assignments, please feel free to ask me. I will 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).

### Ungraded Quizzes and Assignments

**Ungraded Quizzes:** From time to time during the semester and without prior warning, I may give ungraded quizzes to test your comprehension of the material. These quizzes may be in the form of written questions during class or an interactive quiz accessed on the computer.

**Ungraded Assignments:** Throughout the semester, I will assign a number of ungraded assignments that you must complete to my satisfaction. Any work product that, in my judgment, does not reflect a good-faith effort may have to be redone to an acceptable standard within a prescribed time; additionally, I may require a rewrite or “redo” because the assignment needs further work. The course syllabus generally indicates the time by which each assignment is due on the indicated due date. I reserve the right not to review or to give feedback on any ungraded assignment turned in late without my prior permission. Additionally, for any ungraded assignment not turned in at all by the last day of class, I reserve the right to lower your final grade by one grade level (e.g., “B” to “B-”).

**ICW Problems:** To practice your citation skills, you must complete the Interactive Citation Workbook (“ICW”) problems located at <http://www.lexisnexis.com/icw/> as assigned in the syllabus. **Be sure that you do the Bluebook exercises, not the ALWD exercises.** ICW Problems must be completed by the end of the day on the due date. Please email your results to me at [ljsimpso@central.uh.edu](mailto:ljsimpso@central.uh.edu). If you experience any technical difficulties accessing or completing the problems, contact me or LexisNexis for assistance.

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

### Grades

**Curve and Grade Distribution:** UHLC requirements set the average of grades in this LSS class between 2.8 and 3.2. A mandatory grade distribution also applies to this class.

**Graded Assignments:** The following assignments will be graded and constitute the baseline for your course grade, subject to adjustments as identified in this Course Information sheet:

1. **Law-Firm Memorandum Assignment—(50% of grade), due Monday, November 11, 2013, at 6:00 p.m.** One of the skills you need to master in law school is how to budget and to manage your time. If your memorandum is more than 15 minutes late, I may deduct 3 points for the first hour (or part of the hour) that the memorandum is late. After the first hour, I may deduct an additional 3 points for every hour (or part of the hour) that the memorandum is late. If your memorandum is submitted after 11:59 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 ill or are otherwise unable to turn in your memorandum on time, you must notify me in writing prior to the due date to seek an extension. *I will consider extensions for true emergencies only. Computer problems (including printer problems) and routine illnesses do not constitute emergencies.*

The rules set out here for the Law-Firm Memorandum Assignment also apply to the Final Contract Drafting Assignment (please see entry number 3, below).

2. **Final Exam—(20% of grade) Monday, November 18, 2013, 7:30-8:45 p.m.** If you do not sit for the Final Exam, you will receive an “F” in this class.
3. **Final Contract Drafting Assignment—(30% of grade) Monday, December 2, 2013, at 6:00 p.m.** (Please see the rules under the Law-Firm Memorandum Assignment entry, number 1, above.)

Please note that the Law Center uses a blind-grading system to ensure fairness in grading. Your name should not appear anywhere on any of your graded assignments. Instead, you will be assigned an exam number each semester.

**Class Preparedness and Participation:** If you are unprepared for class or do not participate in class, I reserve the right to reduce your final course grade up to a maximum of one grade level.

### Virtual Classroom

**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 need your Westlaw password (which you will receive in the first class) to access the webpage. **After you register your Westlaw password, please sign on to TWEN and add this course’s webpage as soon as possible.** My course webpage is named “Lawyering Skills and Strategies I: Sections E-1 & E-2, Fall 2013,” and the password will be provided the first day of class. I will also post information and useful materials on TWEN on a regular basis. **You will be responsible for reading the postings on TWEN.**

### Submission and Formatting Guidelines for Assignments

Except for ICW exercises, the majority of your graded and ungraded assignments will be submitted through TWEN, through the “Assignment Drop Box” specified for that assignment.<sup>1</sup> Assignments may be submitted on TWEN in WordPerfect, MSWord, or PDF format. If the assignment is graded, you must obtain your fall 2013 semester 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 Assignment Drop Box or submit your work product there. All assignments

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<sup>1</sup> At the time that I distribute a graded assignment, I will always specify an alternative method of submission (e.g., hard-copy or email submission to an administrative assistant, to preserve your anonymity), should you experience technical difficulties that prevent your submitting your graded assignment through TWEN. Any such alternative submission method, however, is subject to the same deadlines as a TWEN submission.

that you submit must conform to these specifications:

1. Use Times New Roman or Courier 12-point type on white 8 ½ x 11 paper.
2. Double-space each assignment and use one-inch margins on all sides.
3. Place page numbers in the bottom center of each page, beginning page numbering on page two.
4. Staple your paper in the top, left corner (for hard-copy submissions only).
5. Conform to all other requirements stated in the assignment sheet for each assignment.

### Course Materials

**Course materials and textbooks:** You must obtain the following textbooks and materials for use in this course:

- Christina Coughlin, John Malmud, & Sandy Patrick, *A Lawyer Writes: A Practical Guide to Legal Analysis* (1st ed. 2008) [“Coughlin”]
- Tracy L. McGaugh & Christine Hurt, *Interactive Citation Workbook for The Bluebook: A Uniform System of Citation* (2011 ed.) [“ICW”]
- *The Bluebook: A Uniform System of Citation* (19th ed. 2010) [“Bluebook”]
- *The Greenbook: Texas Rules of Form* (12th ed. 2010) [“Greenbook”]
- Tina L. Stark, *Drafting Contracts: How & Why Lawyers Do What They Do* (1st ed. 2007) [“Stark”]
- Kamela Bridges & Wayne Scheiss, *Writing for Litigation* (1st ed. 2011) [“Bridges & Scheiss”]

**Unless otherwise instructed, please bring (1) your laptop to every class; (2) your Westlaw and Lexis passwords to every class; and (3), starting with Class 11 on September 30, *The Bluebook* and ICW Workbook to every class.** (Note: we will begin using *The Greenbook* in the Spring semester.)

### Legal Writing Center

All UHLC students may obtain free individual tutoring at the Legal Writing Center, located in room 14D-BLB, just next door to the LSS suite. Several outstanding third-year law students staff the Legal Writing Center. They will answer your questions on legal writing, research, and citation. They also will be able to help you with basic grammar skills, proper English usage, and sentence or paragraph construction. You may schedule appointments with the Writing Center tutors by calling 713-743-0759 or emailing [C\\_LawLegalWritingCenter@central.uh.edu](mailto:C_LawLegalWritingCenter@central.uh.edu). Walk-ins are also welcome. Additionally, the Center will email “Writing Tips of the Week” to you. At my discretion, I may require a student to consult with the Legal Writing Center to get assistance on particular areas of weakness that the student’s work reflects. If I require you to consult with a tutor in the writing center and you fail to do so, that failure may result in a reduction of your final grade by one grade level.

### Honor Code

The Honor Code applies to this class. **You are responsible for complying with it and for knowing its provisions.** The UHLC Honor Code is found at <http://www.law.uh.edu/student/HONORCODE.pdf>. Please ask me if you have any questions regarding how the Honor Code’s provisions apply to specific activities or situations.

### **Computer Use and Other Disruptions**

In accordance with the Law Center's computer use policy, located at <http://www.law.uh.edu/student/Handbook.pdf>, 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, to avoid disrupting the class, unless I give you permission, please turn off your cell phone and similar devices and avoid talking with your colleagues during class.