

Lawyering Skills and Strategies

PROF. MAKIETA A. BRANTLEY

SPRING 2023

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 Writing: 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.
- Legal Writing: Exposure to the considerations underlying contract negotiation and drafting to address the client's needs effectively.
- 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.
- Legal Strategy: Awareness of how the topics discussed and assignments given in the course fit into the practice of law.
- Legal Strategy: Awareness of ethical and professional issues in practice.

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

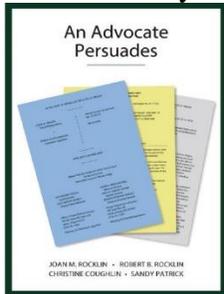
policy, you may miss no more than five class sessions during the semester. On your sixth absence, I will send you to the Assistant Dean for Student Affairs to discuss your continued enrollment in the course.

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 LSS Spring Semester Brantley with your Section.

Spring Course Materials

An Advocate Persuades, Coughlin, 1st Edition (there is a newer edition available but I am hoping this will save you all on costs)



Bluebook: A Uniform System of Citation, 21st Edition



The Greenbook, Texas Rules of Form, 15th Edition



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 ID number on your paper.
- Put your ID number, date, and assignment title in the upper left hand corner of the document.

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 LSS 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
15% Graded Contract
15% Demand Letter
10% Graded In Class Assignment
50% Graded Motion

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. 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.

Diversity, 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's 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 understanding of you and your colleagues. I encourage you to speak up and to 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 "[building] 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.

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.

COVID-19 Information

Students are encouraged to visit the University's [COVID-19](#) website for important information including diagnosis and symptom protocols, testing, vaccine information, and post-exposure guidance. Please check the website throughout the semester for updates.

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).

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.

Syllabus Changes

Due to the changing nature of the COVID-19 pandemic, please note that 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 upon notice in class and/or via TWEN postings and emails.