



LEGAL SKILLS AND STRATEGIES

STUDENT MANUAL & FALL 2020 SYLLABUS

Professor Kenneth R. Swift

krswift@central.uh.edu

Office: 14BLB

Sections A4 and C4

Introduction, Course Objectives, and Learning Outcomes

To be an effective lawyer, you must be both a thorough researcher and a clear, precise writer. Most lawyers, and particularly associates and judicial clerks, spend more time engaged in research and writing than in any other professional task. They research and write letters, memoranda, pleadings, briefs, contracts, wills, trusts, and numerous other types of documents. Inadequate research and imprecise writing can result in losing cases, malpractice claims, and court-imposed sanctions. The Law Center's Legal Skills and Strategies program will help you develop the legal research and writing, analysis, problem-solving, and lawyering skills necessary to become a competent lawyer.

In this first semester you will learn the fundamentals of legal research and citation. You will learn the difference between primary and secondary sources and between binding and persuasive sources. You will learn how to provide proper citations to legal authority to support your writing. You will also be introduced to letter writing.

Importantly, in the first semester you will also learn the basic structure of a legal document as you write an objective office memorandum. Your understanding of this basic structure will be developed throughout the first year.

Learning Outcomes

Upon completion of Legal Skills and Strategies you will be able to:

- Demonstrate knowledge of the structure, components, and functioning of the U.S legal system
- Use appropriate strategies and technologies to retrieve, use, and manage research materials and information effectively and efficiently
- Comprehend and synthesize the reasoning and rules contained in legal authorities and apply them to a variety of client situations
- Understand and apply the structure of written legal analysis
- Understand and apply basic contract drafting skills

Fall 2020 Required Texts

Below are the required texts for Fall 2020, along with the abbreviations used in the syllabus:

George W. Kuney & Donna C. Looper, Mastering Legal Analysis and Drafting (2009) Carolina Academic Press ISBN: 978-1-59460-628-1 (“Kuney”)

The Bluebook: A Uniform System of Citation (21st ed. 2021) The Harvard Law Review Association ISBN: 978-0-578-66615-0. (**Notes:** You should purchase a book rather than the online Bluebook. Also, note that this is a new edition of the Bluebook, so make sure you purchase the **21st edition.**)

Amy E. Sloan, Researching the Law: Finding What You Need When You Need It (2017) Wolters Kluwer Law & Business ISBN: 9781454886495 (“Sloan”) (**Note:** the online supplement is not required)

Tracy L McGaugh & Christine Hurt, Interactive Citation Workbook for The Bluebook: A Uniform System of Citation (2020 Edition) (“Interactive”)

Additionally, you will need to purchase a subscription to *Core Grammar for Lawyers*, available at www.coregrammarforlawyers.com. (“Grammar”). Details in the corresponding section below. You should wait until close to the start of classes to purchase this subscription.

Index

ATTENDANCE	5
TECHNOLOGY POLICIES AND PROCEDURES	6
ETIQUETTE FOR SYNCHRONOUS ZOOM CLASS MEETINGS	7
MEETING DEADLINES	8
EXTENSIONS	8
PENALTIES FOR LATE MAJOR ASSIGNMENTS	9
CALCULATION OF GRADES	10
CALCULATING FINAL GRADES	12
FORMAT AND SUBMISSION REQUIREMENTS FOR MAJOR WRITING ASSIGNMENTS	14
ADDITIONAL DOCUMENT SUBMISSION REQUIREMENTS	15
COURSE WEBSITE	15
RESEARCH SKILLS CLASSES AND EXERCISES	16
CITATION EXERCISES	17
GRAMMAR EXERCISES	19
ADDITIONAL SUPPORT	20
COURSE FORMAT AND SYLLABUS	22

Attendance

While “attendance” is different in a distance learning course, it is still important part of the educational experience. For purposes of discussing attendance, class will encompass synchronous Zoom class meeting sessions, synchronous individual and group meetings, and asynchronous class activities.

Class attendance is crucial to your understanding of the material. While the texts are helpful, they do not (and cannot) focus on the facts and analysis that pertain to our individual class problems. It is the lectures, discussions, and writing assignments we do in synchronous class sessions and asynchronous units which will primarily prepare you to write the assignments. You are required to attend all LSS classes and to participate in class discussions and exercises.

UHLC attendance policy dictates that you may miss no more than five scheduled classes. The Law Center considers mandatory outside-of-class activities (such as required meetings to discuss your writing, Westlaw or Lexis training, or speakers) as scheduled classes. This would encompass asynchronous class units. On your sixth absence, I must refer you to the Associate Dean for Student Affairs to discuss dismissal from this course.

For the purposes of this rule, each class missed is considered one class, regardless of the length of the class or whether it is an individual meeting or other required class session or activity. Arriving more than 15 minutes late for a synchronous class or leaving more than 15 minutes early is considered an absence. There are no excused absences.

Technology Policy and Procedures

Laptop and Tablet Policy (applies to in person classes)

You may utilize your laptop or tablet in class for note taking and, on occasion, I may ask you to research during class. Laptop or tablet usage must not distract your classmates and you should refrain from searching the Internet and access e-mails. Distractive behavior will result in the loss of privileges.

Cell Phones

Please turn your cell phone ringer off during class sessions and refrain from checking your phone during any synchronous class activities.

E-mail

I encourage you to contact me via e-mail when you have questions. I try to always respond to e-mails within 24 hours. E-mail requirements:

1. Make sure your e-mails are professional and avoid using slang or shorthand (i.e. no "can I c u at ur office").
2. Before asking a question regarding class procedures or rules (i.e. the due date for an assignment), please make sure you have consulted the student manual and syllabus. In addition, if time permits, see if a classmate has an answer to your question.
3. Submit specific questions, rather than general requests for review. Rather than attaching a copy of your paper with the question "is this right?" I want to see that you have reviewed your writing and have specific questions about legal structure, a choice of legal authority, a particular sentence, etc.

ETIQUETTE FOR SYNCHRONOUS ZOOM CLASS MEETINGS

In order to make this course as effective as possible for yourself and for your classmates, please follow the guidelines below.

1. Start.

The Zoom session will be available at least 10 minutes prior to class time. Please try to access the Zoom link at least a few minutes before the scheduled class time, so that we can begin on time.

2. Video.

- A. When you join the session, turn your video camera on. It is my expectation that you will have your video on throughout the class session.
- B. You should access the class from a computer or tablet, as you will want a screen that is larger than your phone. In class sessions you may occasionally be directed to access documents or websites, such as legal research databases.
- C. If possible, join class from a place where there are few distractions behind you, although I realize that can be difficult for some given their living situation. Another option is to use a Zoom virtual background. The ones provided by Zoom are somewhat distracting, so you may want to download your own.
- D. Assume you will always be visible to others, so act and dress accordingly and please refrain from eating.
- E. In general, just as you would in a live classroom, try to minimize any distractions you might create for others.

Audio.

- A. Upon entry, your microphone should automatically be muted. While you are free to unmute the microphone before class to engage with your classmates or me, please make sure that it is muted at the start of class.
- B. When you want to ask a question, please click the “raise your hand button” and then unmute your microphone.
- C. You may utilize headphones if that will increase your sound quality. Further, if you participate from a place where there are other people around, particularly a public place, consider utilizing headphones.

MEETING DEADLINES

Practicing attorneys are required to meet rigid deadlines imposed by statutes of limitations and court rules. Failure to meet these deadlines can result in lost cases and legal malpractice claims. Similarly, deadlines in this course will be strictly enforced.

Just as lawyers must plan ahead to ensure that pressing deadlines for one client do not cause them to neglect their obligations to other clients, you must budget your time to ensure that deadlines for LSS do not cause you to neglect your other courses. You are expected to attend all other classes and to be prepared for all of your classes, even though you have deadlines to meet for LSS.

EXTENSIONS

Extensions for any assignment will be granted only as a result of the most exigent personal circumstances. Requests for extensions must be made to me in writing on a *Request for Extension* form, available on the course website. I will grant a request for an extension only if the student makes the request before the assignment due date or if an emergency has made it impracticable for the student to make the request before the due date. Extensions will generally be granted only for health problems or serious, unexpected family issues. Extensions will **not** be granted for any of the following reasons: your computer, printer, or car malfunctioned or work obligations or social events.

PENALTIES FOR LATE MAJOR ASSIGNMENTS

The following penalties will be imposed for late submission of either the Closed Memorandum or the Final Office Memorandum (and spring Major Assignments):

- A. Assignments submitted after required time on the due date, but before 11:59 p.m. on the due date, will have four points deducted for lateness.
- B. Assignments on or after 11:59 p.m. on the due date will have four additional points, or a total of eight points, deducted for lateness.
- C. Assignments submitted on or after 11:59 p.m. on succeeding days will have four points deducted for each additional day late. Weekend days count as additional days.

You must follow all submission requirements for the assignment. Failure to do so may result in your assignment being considered not having been turned in or you may incur a different penalty. You may not choose to skip an assignment, nor may you knowingly submit written work that fails to meet minimum standards for style, substance, or effort.

PENALTIES FOR LATE OTHER ASSIGNMENTS

You will also have numerous other research and writing assignments throughout the semester. These assignments include, but are not limited to:

1. Citation exercises
2. In-class research exercises
3. Core Grammar exercises
4. Writing and Research Assignments related to a major writing assignment.

Unless stated otherwise in the syllabus or the particular assignment sheet, failure to turn in the assignment by the due date and time will result in the loss of the point(s) tied to the assignment.

Calculation of Grades

Your grades in law school will likely be lower than those you received as an undergraduate. Most law students received A's and B's in college. Because these students are now being compared to one another, receiving "average" grades in law school is considered a mark of achievement in and of itself.

While law school grades are important, please focus on my written and oral comments, which will help you develop the research, analytical, and writing skills you will need to succeed in other law school courses and in the practice of law.

Grading Criteria

I will consider the following factors in grading your writing assignments throughout the next two semesters:

- 1. Writing**
 - Organization
 - Clarity
 - Grammar and use of language
 - Responsiveness to audience and purpose
 - Style and tone
- 2. Analysis**
 - Understanding of and synthesis of legal issues and rules raised by assignment
 - Application of legal authority and commentary to assigned facts
 - Ability to define and isolate issues
 - Persuasive and accurate use of the facts
 - Ability to deal effectively with adverse authority
- 3. Research**
 - Ability to locate leading authority and relevant commentary
 - Comprehensiveness of research
 - Ability to differentiate between relevant and irrelevant source materials
- 4. Compliance with proper citation, format, and style requirements**
 - Adherence to Bluebook Citation Manual citation requirements
 - Adherence to format and assignment instructions

The grade you receive on an assignment will be determined by your ability to analyze the issues, to communicate your analysis or argument, and to support your conclusions, not by whether I agree with your legal conclusions.

Details are important and are considered in evaluating writing assignments. Mistakes in citation form, spelling, or grammar may lead readers to question your competence and therefore ignore your legal analysis. Proofread carefully.

Compliance with format and style requirements is also important. In practice, a failure to comply with such requirements can result in serious sanctions. An exhaustively researched, well-organized, and meticulously written brief may be returned to you or disregarded by a court because you exceeded a page limit or used the wrong typeface or margin size. Making compliance with format and style requirements a habit now may save you considerable embarrassment and pain as a practicing attorney.

I will be selective when commenting on your writing assignments and not comment on every error. I may forego commenting on small errors to focus your attention on problem areas that require more immediate improvement. An error may only be marked at the first place it appears with the expectation that you will correct other, similar errors.

Calculating Final Grades

Final grades will be calculated at the end of each semester. Certain assignments, such as final memos and writing assignments and exams will be graded. All graded assignments will be given only a point total. For the fall semester the graded assignments will be the client letter, the quiz, and the final memo (*subject to change*).

You will also have numerous other exercises and assignments for which will be given “Participation and Effort” points. The points for participation and effort will be based upon:

1. Timely completion of non-graded assignments and activities, such as interim writing assignments, citation exercises, grammar exercises, and research exercises to a reasonable effort standard (discussed in class).
2. Timely and full participation and preparation in small group class activities.

The participation points are not based upon a curve and it is my hope that every class participant will receive all of the allotted Participation and Effort points. The participation and effort point assignments are listed on the next page and the assignment dates are provided in the syllabus. A record of your completion will be available on the course website.

Curve and Grade Distribution: UHLC requirements set the average of grades in every LSS class between 3.2 and 3.4. A mandatory grade distribution also applies. Please see the UHLC student handbook for further information on grading rules.

Assignments and Allotted Points

Note: Assignments and points are subject to change. Changes will be announced.

<u>Exercise/ Assignment</u>	<u>P + E Points</u>	<u>Graded Points</u>
Student Manual Quiz	2	
Citation Exercise 1	1	
Citation Exercise 2	1	
Citation Exercise 3	1	
Citation Exercise 4	1	
Citation Exercise 5	1	
Citation Exercise 6	1	
Citation Exercise 7	1	
Citation Exercise 8	1	
Citation Exercise 11	1	
Research Exercise* - Intro	1	
Research Ex* -Lrev/Treatises	1	
Research Ex* - Ency/ALR	1	
Research Ex* - Statutes	1	
Research Ex* -Citators	1	
Core Grammar A1-4, D1,2	2	
Core Grammar D3,4, F1-4	2	
Writing Assignment - Rule	2	
Writing Ass. - Case Illustration	2	
Writing Ass. - Args	2	
In-class Email Exercise	4	
Closed Memorandum	10	
Fall Research Assignment	5	
Res. Mem./Rough draft	5	
Client Letter		5
Quiz		30
Final Office Memo		50
	50**(10)	10
Total		95

* Research exercises will be completed in-class

** The Participation and Effort points will be scaled to account for 10 points in the final calculation

Format Requirements for Major Writing Assignments

Follow the format requirements below when creating and submitting your major writing assignments. Even though assignments will be turned in electronically you are still required to ensure that the printed version meets these requirements. Failure to follow the requirements may result in a reduction in points.

FORMAT REQUIREMENTS

1. COVER SHEET (does not count in the word limit):

- a. Assignment title
- b. Exam Number or Name (as required by the assignment)
- c. Due date
- d. Instructor's name

2. FONT: Times New Roman, twelve point.

3. MARGINS: Each typed page must have a one-inch margin on each side and top and bottom.

4. TYPE: Fully double-spaced, except the following, which should be single-spaced:

- a. The caption
- b. Question Presented
- c. Brief Answer
- d. Block quotations (and indented, per *Bluebook*)

5. CITATIONS: In accordance with the *Bluebook Citation Manual*.

6. WORD LIMITS: Some graded assignments will have a word limit. Every word document counts towards this limit. The number of words in the document will be checked using the word count function in Microsoft Word. Exceeding the word limit will result in a penalty.

7. PAGINATION: Each page of text must be numbered (you may start numbering on page two, which is traditional, if you prefer). The page number must be centered and be approximately one inch from the bottom of the page.

See the next page for additional submission requirements.

Additional Document Submission Requirements

These requirements apply to every assignment you submit.

1. Document Naming When submitting a document via email (or submitting via a website), name your document:

A. If not submitted anonymously (the majority of assignments), name your document beginning with your **last name** (ex: (Jones.doc)). If you would like to provide additional information regarding the document (perhaps for your own organization), place that after your name (ex:Jones.RuleofLaw.doc).

B. If submitted anonymously, using only your exam number (ex:5678.doc).

2. Document Identification. Make sure your name is included on the document itself, (except those submitted anonymously).

Failure to follow the submission requirements may result in a point reduction.

Course Website

The course website is hosted by the University's Blackboard course management system. To access the course website:

1. Log into access UH: <https://accessuh.uh.edu>
2. Under University Services, click on Blackboard Learn 9
3. Click on Lawyering Skills and Strategies I
4. The website will be available approximately 1 week prior to the official start of the course. You will be automatically enrolled in the course.

Blackboard support is available 8-8 (M-F):

1. **Phone:** 713-743-1411
2. **Live chat:** <http://www.uh.edu/infotech/livechat>
3. Email: support@uh.edu
4. **In person:** 58 MD Anderson Library

Research Skills Lectures and Exercises

In LSS I and II you will learn fundamental legal research skills through instruction and exercises and by researching for writing and other assignments outside of class. In addition, on occasion we will have training by the Law Center's Professional Law Librarians and perhaps professional trainers for Westlaw, Lexis, and Bloomberg Law, the major online legal research vendors, may present in-class. These research engines are free to you for your law school work but are fee-based in the "real world." See the course syllabus for the timing and topics of the research classes.

You will be expected to use the skills you have acquired during the research training to complete research exercises, and to research some of the writing and drafting assignments that you do for our class. You will also be tested on your research.

To learn and practice fundamental research skills, you will be required to complete various exercises. You will receive a Participation and Effort point for each exercise that you complete on time and further points for other research-related exercises. If you fail to submit an exercise on time, you will receive no points for that exercise; however, you must still complete the work. You may not choose to skip an exercise or submit unsatisfactory work and simply not earn point credit. All exercises must be completed in satisfactory fashion by the end of the semester or you will receive an incomplete in the course.

Citation Exercises

Legal citation serves two primary purposes. First, it is an essential part of legal analysis. A citation indicates to the judge and other attorneys the source of the legal authority and directs them to where they may find that authority. Second, citation is also an important part of your professional identity. If a judge or another attorney sees inaccurate or sloppy citation, he or she may conclude that the legal analysis accompanying those citations is also sloppy or inaccurate. Poor citation damages your credibility as a professional.

The only real way to learn citation is by drafting citations. Throughout the next two semesters you will be exposed to the citation of cases, statutes, and secondary sources. You will have the opportunity to learn these rules through numerous hands-on citation exercises.

We will be utilizing the *Interactive Citation Workbook for Bluebook Citation Manual* and accompanying exercises. For each exercise set, you are required to read the applicable chapter of the book, review the accompanying rules in the *Bluebook* manual, and then complete online exercises (next semester we will also learn the *Greenbook*). The online exercises can be found at: <https://plus.lexis.com/> by accessing the Lexis Advance Research drop down menu in the upper left-hand corner and clicking on LexisNexis Interactive Citation Workstation.

Information about Internet Citation Workstation may be found on the above web site. Each citation exercise is worth a Participation and Effort point and must be completed by the due date. Additional guidance will be provided.

Notes on the citation exercises:

1. Each particular problem may be tried three times before you are given the correct answer.
2. You may start a chapter, stop, and return later. Your work will be saved.
3. If you do not submit the correct answer after the three allotted attempts, you will still be given credit if a review of your work shows *that you are putting in a reasonable effort to find the correct answer*; if I determine otherwise, you will not be given credit for the assignment and may have additional exercises assigned.
4. The citation answers are highly technical and require a precise answer to be correct; do not become frustrated if you incorrectly answer some questions, as it is part of the process of understanding and learning citation.
5. After you have completed the required problems in a chapter, make sure that you both e-mail the completed assignment and print off the completion certificate.

Grammar Exercises

We will use a website training tool, *Core Grammar for Lawyers*. You will need to purchase and activate a subscription.

Purchase and Activation:

1. Go to: <http://www.coregrammarforlawyers.com/>
2. Click "Purchase this Program"
3. Click the "Purchase CGL" button
4. On the first page of the form, enter name, phone number, email, and pick University of Houston Law Center from the school list.
5. Click Verify
6. On the next screen verify everything is ok, click "Purchase" and that's it!

Next, you will “activate” your subscription. When you activate your subscription, enter the unique Class Code that corresponds to this course. Here is the code:

320-209-398

Do not borrow a Class Code from anyone else; if you do, you will enroll in the wrong section. Once your subscription is activated, you are ready to begin.

Pre-Test

Your first CGL assignment is to take the Pre-Test. You will need approximately 60-90 minutes to complete the Pre-Test. You can open the Pre-Test by clicking on the link on the home page (called your “Bookshelf”).

1. **DO NOT** opt-out of the Pre-Test.
2. Do not consult outside resources. It is a closed book exam.

Assigned Sections

You are required to complete 12 sections of the website this semester. You may complete a section by either:

1. testing out of the section in the pretest by showing you are proficient with a particular grammar concept; or
2. completing the exercise on the website.

Some students will not test out of any sections, some will test out of one or two, and a few may test out of several. For this semester you are required to complete section A, D, and F. The other sections will be due next semester. Of course, you are free to complete the exercises at any time before the due dates and I would encourage you to complete them early in the semester.

Additional Support

Legal Writing Center

All UHLC students may obtain free individual tutoring at the Legal Writing Center, located in the library. Several outstanding third-year law students, known as Legal Writing Fellows, staff the Legal Writing Center. On all ungraded assignments, the tutors 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/paragraph construction. You may schedule appointments with the Writing Center tutors by calling 713-743-0759 or emailing C_LawLegalWritingCenter@central.uh.edu. Walk-ins are welcome and the Writing Fellows are available virtually.

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—must 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 pronoun.

University Counseling Services

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 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 at convenient locations and hours around campus.
http://www.uh.edu/caps/outreach/lets_talk.html

UH Sexual Misconduct Policy

The University is 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 have experienced an incident of discrimination or sexual misconduct, there is a confidential reporting process available to you. For more information, please refer to the University system's Anti-Discrimination Policy SAM 01.D.07 and Sexual Misconduct Policy SAM 01.D.08, available here: <http://www.uhsystem.edu/compliance-ethics/uhs-policies/sams/01-general-information/index.php> ;<http://www.uhsystem.edu/compliance-ethics/docs/sam/01/1d7.pdf> (antidiscrimination); <http://www.uhsystem.edu/compliance-ethics/docs/sam/01/1d8.pdf> (sexual misconduct). Please be aware that under the sexual misconduct policy, SAM 01.D.08, faculty are required to report to the University any information received regarding sexual misconduct as defined in the policy. Please note

that the reporting obligations under the sexual misconduct policy reach to employees and students. *Also, as a required reporting party, I am not a confidential resource.*

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 is located in room 44A TU-II in the Office of Student Services suite, and she 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.

Course Format

This course will be delivered through distance education. Class instruction will be provided online through a combination of synchronous full-class meetings and asynchronous course content. Additionally, we will have synchronous individual conferences to discuss your writing.

For the first week of the semester both class sessions will be synchronous sessions presented via Zoom. After that, most weeks will consist of a synchronous Zoom session on Thursday and asynchronous units. In some weeks, individual conferences will take the place of one or more class sessions. **Please read the schedule carefully for each week.**

Starting with week two, the course will be divided into **Course Weeks**. Each Course Week will begin on Thursday at 6 p.m. and conclude the following Thursday at 10 p.m. During each course week there will be assignments due, including both asynchronous units and writing assignments. The asynchronous units will normally be due at the end of the Course Week. Writing assignments will be due at other times. Again, read the schedule carefully for each week.

Each course week will have a separate folder on the course website under the Assignments tab. The folder will open at the start of the course week and will include that week's syllabus entry in the form of checklist of items (readings, assignments, etc.).

Week of 8/24

Reading Assignments:

Kuney, Introduction (XXV-XXVI), Ch. 1, pp.15-36

Sloan, Ch. 2

Interactive, Using the Interactive Citation Workbook (pp. ix-x)

Class Modality

Tues (Section A)/Wed (Section C): **Synchronous**

Thursday: **Synchronous**

Introduction to Legal Skills and Strategies.

- Overview of the course. Description of classes, books, goals, and policies of the course.
- Discussion of the legal system, including the court system, the sources of the law, and the interaction between the sources of the law.
- Introduction to Legal Analysis
- Introduction to the Office Memorandum

Week Two

Unless otherwise noted asynchronous units are due by 10 p.m. on Thursday, September 3.

Thursday Synchronous Class

Reading:

Interactive, Using the Interactive Citation Workbook (pp. ix-x)

Kuney, Ch. 5 pp. 87-91

Sample In-Class Memorandum Packet (distributed week 1/on the course website)

Class Topics:

- Analyzing a judicial opinion
- Introduction to precedent and stare decisis
- Introduction to the Bluebook and legal citation
- Introduction to the office memorandum

Notes and Due Dates:

- Read and brief the *Mueller* case from the Sample In-Class Memorandum Packet.

Asynchronous Units Checklist

1. Watch: *Parts of an Opinion*.

NOTE: This item must be completed prior to class on Thursday, 9/3.

2. Read: *The Student Manual* and *LSS Supplement to the Honor Code* (both available on the course website under Course Materials)

3. Watch: *Introduction to Course Rules and Procedures*.

4. Complete: Student Manual Quiz.

You will take the Student Manual Quiz on the course website. It is a timed, open book quiz. You may not work on the quiz with anyone else. There are 10 multiple-choice questions and you will receive your quiz score immediately after submitting. Here is the point distribution:

7-10 - 2 Participation and Effort (P+E) points
5-6 - 1.5 P+E points
3-4 - 1 P+E point
0-3 - 0 P+E points

Core Grammar: The Court Grammar exercises (see the Student Manual for proper registration information) may be completed at any time up to the due dates below.

Pretest: **9/17**

Exercises A (1-4) and D (1-2): **10/1**

Exercises D (3-4) and F (1-4): **10/22**

The remaining exercises will be due next semester, but you are free to complete them at any time.

Week Three

Unless otherwise noted asynchronous units are due by 10 p.m. on Thursday, September 10.

Thursday Synchronous Class

Reading:

Kuney, Ch. 5 pp. 91-102

What is a Rule of Law? (essay posted on the course website)

Closed Memorandum Assignment Packet (distributed week 2/on the course website)

Class Topics:

Introduction to the Office Memorandum

- Introduction to legal structure – rules of law
- Introduction to objective writing

Notes and Due Dates:

Rule of Law Assignment

- Download the Closed Memo template from the course web site. Replace “Your Name” with your name.
- Remove the signpost “Rule of Law.” In its place draft a rule of law from the two cases in your Closed Memorandum packet. Citations are not required, but you may wish to attempt formal citations.
- Turn in the assignment via email attachment prior to **4 p.m. on Monday, September 14**. Name your document starting with your last name (ex: “Smith.doc”).

Asynchronous Units Checklist

1. Read: *Kuney*, Ch. 3 pp. 51-56, 65-67.

2. Introduction to Case Citation: Case Names

- A. Read: *Interactive*, Ch.1
- B. Watch and Complete: *Introduction to Case Citation: Case Names*
- C. Complete: Case Names Quiz

Note: This is a short multiple-choice quiz that you will complete through the course website. You must answer all questions correctly to receive credit, but you may attempt the quizzes many times as necessary.

- D. Complete: ICW Exercise 1

Note: This exercise you will be completed through the ICW website. Credit is provided on the reasonable effort standard.

3. Introduction to Case Citation: Reporters

- A. Read: *Interactive*, Ch. 2
- B. Watch and Complete: *Introduction to Case Citation: Reporters*
- C. Complete: Reporters Quiz
- D. Complete: ICW Exercise 2

4. Introduction to Case Citation: Court and Date

- A. Read: *Interactive*, Ch. 3
- B. Watch and Complete: *Introduction to Case Citation: Court and Date*
- C. Complete: Court and Date Quiz
- D. Complete: ICW Exercise 3

Core Grammar: The Court Grammar exercises (see the Student Manual for proper registration information) may be completed at any time up to the due dates below.

Pretest: **9/17**

Exercises A (1-4) and D (1-2): **10/1**

Exercises D (3-4) and F (1-4): **10/22**

The remaining exercises will be due next semester, but you are free to complete them at any time.

Week Four

Unless otherwise noted, asynchronous units are due by 10 p.m. on Thursday, September 17.

Thursday Synchronous Class

Reading:

What is a Case Illustration? (essay posted on the course website)

The Writer's Corner: Presenting Case Law Effectively (article posted on the course website)

Class Topics:

- Review of Rules of Law Assignment
- Introduction to Legal Structure – Case Illustrations
- Introduction to Research and Secondary Sources

Notes and Due Dates:

- ****Rule of Law** exercise due **prior to 4 p.m. on Monday 9/14** (see Week 3 checklist for submission details).

Case Illustration Assignment

- Utilize the same document from the Rule of Law Assignment (you will continue to develop this document). Remove the signpost “case illustrations.”
 - In its place, draft a case illustration for the assigned case from your Closed Memorandum packet.
 - Turn in the assignment via email attachment prior to **4 p.m. on Monday 9/21**. Name your document starting with your last name.
-

Asynchronous Units Checklist

1. Introduction to Case Citation: Short Case Citations

- E. Read: *Interactive*, Ch.5
- F. Watch: *Introduction to Case Citation: Short Case Citations*
- G. Complete: Short Case Citations Quiz
- H. Complete: ICW Exercise 5, Short Case Citations

2. Introduction to Case Citation: Parallel Citations

- A. Read: *Interactive*, Ch.4
- B. Watch: *Introduction to Case Citation: Parallel Citations*
- C. Complete: Parallel Citations Quiz (Note: this exercise includes a few questions on parallel citations and then brings you through a local court rule pertaining to citation and a relevant case. You will need to access Westlaw to complete this exercise.)
- D. Complete: ICW Exercise 4, Parallel Citations

3. Complete: Core Grammar Pre-test.

- Details on registering for the Core Grammar website, including the necessary class code, can be found in the student manual.
- Core Grammar exercises will be due at various times throughout this semester and next, but you are always free to complete any or all units at any time prior to the due date.

Core Grammar: The Court Grammar exercises (see the Student Manual for proper registration information) may be completed at any time up to the due dates below.

Pretest: **9/17**

Exercises A (1-4) and D (1-2): **10/1**

Exercises D (3-4) and F (1-4): **10/22**

The remaining exercises will be due next semester, but you are free to complete them at any time.

Week Five

Unless otherwise noted asynchronous units are due by 10 p.m. on Thursday, September 24.

Thursday Synchronous Class

Reading:

Introduction to Legal Arguments (essay posted on the course website)
The Writer's Corner: Use and Argue the Case Law (article posted on the course website)

Class Topics:

- Introduction to Legal Structure – Arguments
- Review of Case Illustrations

Notes and Due Dates:

- ****Case Illustration** exercise due **prior to 4 p.m. on Monday 9/21** (see Week 4 checklist for submission details).

Arguments Assignment

1. Utilize the same document from the Rule of Law and Case Illustration assignments.
2. Remove the signpost “arguments for your client.” Then, make arguments for your client based upon the assigned case and your rule of law.
3. Remove the signpost “arguments for your opponent.” Then, make the arguments for your opponent based upon the assigned case and your rule of law.
4. Turn in the assignment via email attachment prior to **4 p.m. on Monday 9/28**. Name your document starting with your last name.

Asynchronous Units Checklist

1. **Read:** Sloan, Ch. 8
2. **Watch:** Introduction to Research and Secondary Sources
3. **Complete:** Introduction to Research exercise on the course website
4. **Watch:** Introduction to Treatises
5. **Complete:** Treatises exercise on the course website
6. **Watch:** Introduction to Legal Periodicals
7. **Complete:** Law Reviews and Journals exercise on the course website

Core Grammar: The Court Grammar exercises (see the Student Manual for proper registration information) may be completed at any time up to the due dates below.

Pretest: **9/17**

Exercises A (1-4) and D (1-2): **10/1**

Exercises D (3-4) and F (1-4): **10/22**

The remaining exercises will be due next semester, but you are free to complete them at any time.

Week Six

Unless otherwise noted asynchronous units are due by 10 p.m. on Thursday, October 1.

Thursday Synchronous Class

Reading:

Class Topics:

- Review of Arguments Assignment
- Developing the Office Memorandum
- Brief Answer and Conclusion

Notes and Due Dates:

- Arguments assignment due **prior to 4 p.m. on Monday 9/28** (see Week 5 checklist for submission details).
 - For the class next Thursday (10/8) you will need a complete rough draft of your Closed Memorandum. You will not be turning in the rough draft but will be using it for an in-class editing exercise.
-

Asynchronous Units Checklist

- 1. Read:** Sloan, Ch. 8 (optional review; the sections on ALRs and Encyclopedias are relevant to the exercises below)
- 2. Watch and Complete:** Introduction to American Law Reports (ALR)
- 3. Complete:** ALRs exercise on the course website
- 4. Watch:** Introduction to Legal Encyclopedias
- 5. Complete:** Legal Encyclopedias exercise on the course website
- 6. Complete:** Core Grammar Exercises A (1-4) and D (1-2)

Core Grammar: The Court Grammar exercises (see the Student Manual for proper registration information) may be completed at any time up to the due dates below.

Pretest: **9/17**

Exercises A (1-4) and D (1-2): **10/1**

Exercises D (3-4) and F (1-4): **10/22**

The remaining exercises will be due next semester, but you are free to complete them at any time.

Week Seven

Unless otherwise noted asynchronous units are due by 10 p.m. on Thursday, October 8.

Thursday Synchronous Class

Reading:

Class Topics:

- Editing the Closed Office Memo
- Editing exercise (you will need a paper copy of your complete Closed Office Memorandum draft)

Notes and Due Dates:

- **The Closed Office Memorandum is **due by 9 a.m. on Monday, October 12.** Turn in the document electronically according to the assignment instructions.
 - The final time to email a question regarding the Closed Office Memorandum is 3 p.m. on Friday, October 9
-

Asynchronous Units Checklist

There are two items to complete this week:

I. Editing Exercise

The editing exercise can be found in a module folder, which **means that each item in the exercise only appears once you have accessed/completed the preceding item.** Here are the items to complete:

1. Click on the exercise (it may open automatically). Save this document to your computer using your last name as the start of the file name.

2. Download the Spiegel case from the website or by clicking on this icon:



Spiegel.pdf

3. Complete the assignment:

- Read the assignment overview and directions for detailed instructions.
- Provide comments on the Word document using the Comment function. This will result in your feedback being provided in comment bubbles.
- For the citations, if you want to use keystrokes (such as underlining or strikethrough) on the text, you may do so, but also use a comment bubble to explain.

4. Upload your assignment to the course website using the link provided in the module folder.

5. After you upload your assignment, make sure you click all the way through each “OK” in the bottom right-hand corner. Once you are through, you will then be able to click on the link to receive the assignment feedback.

Please note that this is your primary feedback on the assignment, designed to provide you with immediate information that you can use to develop and edit your Closed Memorandum. I will review the assignments after the due date for completion, but not provide any additional feedback.

II. Common Writing Problems

- A. **Read:** Common Writing Problems Handout (posted on the course website)
- B. **Complete:** Common Writing Problems Exercise on the course website.

Core Grammar: The Court Grammar exercises (see the Student Manual for proper registration information) may be completed at any time up to the due dates below.

Pretest: **9/17**

Exercises A (1-4) and D (1-2): **10/1**

Exercises D (3-4) and F (1-4): **10/22**

The remaining exercises will be due next semester, but you are free to complete them at any time.

Week Eight

Unless otherwise noted asynchronous units are due by 10 p.m. on Thursday, October 15.

Thursday Synchronous Class

Reading:

Kuney, Ch. 4

Class Topics:

- Introduction to client letters and writing for a non-legal audience
- Course overview and the Final Memorandum timeline

Notes and Due Dates:

- **The Closed Office Memorandum is **due by 9 a.m. on Monday, October 12**. Turn in the document electronically according to the assignment instructions.
- The final time to email a question regarding the Closed Office Memorandum is 3 p.m. on Friday, October 9.

Asynchronous Units Checklist

1. Respondus Lockdown Monitor - Download and Practice Quiz

Respondus Lockdown Monitor is the testing software we will use with the quiz. The software works in conjunction with the course website.

- a. Review the information sheets provided by the software developer and UH IT (posted on the course website).

- b. Download the Respondus Lockdown Monitor software onto the computer that you plan to use for the quiz:
<https://download.respondus.com/lockdown/download.php?id=185514015>

NOTES:

- You must use the above link (or the one posted on the website) to download the software because the download is specific to the University of Houston.
- This link will bring you to the Windows download. On that same page there is a link to the Mac download. Each download page has a link to the system requirements.
- The software will not work on a Chromebook.

- c. Take the Respondus Practice Quiz.

To take this quiz you will need to first launch the Respondus software. This will lockdown your computer except you will be able to log into Blackboard. You will need to know your login information.

This is a simple, two question quiz that will take you less than a minute to complete. The purpose of this quiz is to make sure that your system is compatible and to give you practice in the process of being identified for the quiz. During this process the software takes a photo of you and your student ID.

2. Secondary Source Citations

- Read:** *Interactive*, Ch. 11
- Watch and Complete:** *Secondary Source Citations*
- Complete:** Secondary Source Citation exercise on the course website
- Complete:** *ICW* exercise, Ch. 11

3. Research tool: Citators

- Read:** *Sloan*, Ch. 11
- Read:** Keycite and Shepards handout (posted on the course website)
- Watch and Complete:** *Citators*
- Complete:** *Citators* research exercise on the course website

Core Grammar: The Court Grammar exercises (see the Student Manual for proper registration information) may be completed at any time up to the due dates below.

Pretest: **9/17**

Exercises A (1-4) and D (1-2): **10/1**

Exercises D (3-4) and F (1-4): **10/22**

The remaining exercises will be due next semester, but you are free to complete them at any time.

Week Nine

Unless otherwise noted asynchronous units are due by 10 p.m. on Thursday, October 22.

Thursday Synchronous Class

Reading:

Sloan, Ch. 11

Class Topics:

- Legal Research Process
- Researching Statutes and Case Law

Notes and Due Dates:

Class will be conducted by Emily Lawson, Associate Director of the O'Quinn Law Library. You will need access to Westlaw and Lexis for the training session. You will have a research assignment due next week requiring you to use the skills presented in this session (see the Asynchronous Units below).

Upcoming Due Dates:

1. Letter Writing Exercise due by 10 PM on **Thursday, October 29**
 2. Fall Research Assignment due by 10 PM on **Thursday, October 29**
-

Asynchronous Units Checklist

1. Introduction to Statutes Citation

- A. Read: *Interactive*, Ch. 6, 7, 8.
- B. Watch: *Introduction to Statutes Citation: State and Federal Full and Short Statute Citations*.
- C. Complete: Statute Citations Quiz on the course website.
- D. Complete: ICW Exercise 6, Federal Statute Citations
- E. Complete: ICW Exercise 7, State Statute Citations
- F. Complete: ICW Exercise 8, Short Statute Citations

2. Complete: Core Grammar D (3-4) and F (1-4).

3. Watch: Quiz Overview

This video provides an overview of the citation and research quiz, including the subject matter covered and format of the quiz. You are not required to watch it this week and may choose to view it closer to the date of the quiz. There are no questions or assignment connected to this item.

Week Ten

****One asynchronous unit for this week is due by the Start of Class on Thursday, October 29.****

Thursday Synchronous Class

Reading:

Drafting Policy Arguments I, II, and III (articles posted on the course website)

Class Topics:

- Rule based and policy arguments
- In-class Moot Court exercise

Notes and Due Dates:

1. Letter Writing Exercise due by 10 PM on **Thursday, October 29.**
2. Fall Research Assignment due by 10 PM on **Thursday, October 29.**

Asynchronous Units Checklist

****The Statutory Analysis Writing Exercise is due by the start of class on Thursday, 10/29.****

****1. Statutory Analysis Writing Exercise**

- A. Download the Writing Exercise from the course website.
- B. Carefully read the assignment instructions for both the required content and submission instructions.
- C. Submit the assignment prior to the start of class using the link on the course website.
- D. Make sure that you have your document available during class because you will share it with a partner to prepare for an in-class oral argument.

2. Fall Research Exercise

- A. Download the Fall Research Exercise (was also distributed prior to the 10/22 training session).
- B. Complete the research law using the research skills covered in the presentation by Emily Lawson on 10/22 and the introductory skills covered in the Secondary Source and Citator research exercises throughout the semester.
- C. Use the link provided on the Course Website to upload your completed Research Exercise.

3. Second Issue Feedback Choice

- A. **Watch:** Feedback Choice
- B. **Complete:** Feedback Choice selection on the course website.

For the second issue feedback you have the choice of receiving your feedback via an individual meeting or written feedback. Watch the short video for relevant considerations and then make your selection in the exercise.

Optional Items

The following items are optional and completion will not be monitored or recorded.

Sample Quiz Questions: These questions are provided to give you an idea of the types of questions you can expect on the quiz. **These are not designed to be any sort of thorough study guide.** There are a few citation questions, a few research questions, and a writing question.

Writing Tools: In this short video I review a few editing and writing tools and apps that you may find helpful. No particular tools are required or endorsed and, ultimately, thorough editing lies with the editor and editing process.

Week of 11/3 Through the Remainder of the Semester

There are no more asynchronous units this semester.

Tuesday, November 3 – Quiz

- Both sections will take the quiz from 1:40 – 2:55.
 - Details have been provided in class and through various documents over the last few weeks.
-

Thursday, November 5 Synchronous Class

Reading:

Kuney, Ch. 5, pp. 91-92 (question presented), pp. 102-107

Class Topics:

- Drafting the Question Presented
- Review of the Brief Answer
- Putting together a two issue memorandum
- Discussion of the second issue

Notes and Due Dates:

- The rough draft of your memorandum will be due next week; information will be emailed pursuant to whether you chose written feedback or a meeting.
- Final opportunity to ask questions regarding the Duty of Loyalty issue is Thursday, November 5.

Thursday, November 12 Synchronous Class

No synchronous class meeting this week. Final memo feedback begins and continues through next week.

Class Topics:

Notes and Due Dates:

- The final memorandum is due by 9 AM on Monday, November 23.

Thursday, November 19 Synchronous Class

Reading:

Class Topics:

- Editing exercise
- End of the semester items

Notes and Due Dates:

- The Final Memorandum is due by **9 AM on Monday, November 23**. You will submit the Final Memorandum anonymously using the same TWEN site used to submit your Client Letter assignment. Additional details provided in class.
- The final opportunity to ask a question is 3 PM on Friday, November 20.

The Final Memorandum due by 9 AM on Monday, November 23.

Congratulations on completing your first semester of LSS!

