SYLLABUS
LAWYERING SKILLS I
Fall 2016

learning objectives:

At the end of the semester, each student will be able to:
• interview a client to obtain the facts relevant to the client’s legal problem,
• find the law relevant to the client’s problem through research in secondary and primary legal sources, and
• write a memorandum to a supervising attorney, applying the relevant law to the client’s facts and predicting the likely results if the client’s problem were to become a court case.

required texts, all sections:


(These same texts will be required for Lawyering Skills II next semester.)

Additional required materials and information for the assignments will be distributed through the Lawyering Skills D2L site and in class.
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<tr>
<th>LS §</th>
<th>time</th>
<th>writing professor</th>
<th>research professor</th>
<th>teaching assistants</th>
<th>room</th>
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<td>1</td>
<td>9:00 Tues.</td>
<td>Sue Liemer</td>
<td>Nolan Wright</td>
<td>Siiri Raniero</td>
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<td>Darryl Mullaly</td>
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<td>Melissa Marlow</td>
<td>Alicia Jones</td>
<td>Courtney McKinney</td>
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<td>Kristen Southworth</td>
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<td>3</td>
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<td>Doug Lind</td>
<td>Alan Mabee</td>
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**course description:**

In this course you will learn and practice basic lawyering skills. You will apply the various modes of legal analysis that you are learning to clients’ legal problems, becoming familiar with the research, writing, and client interviewing processes that practicing attorneys use.

This semester you will be introduced to and practice the skills needed to search for relevant legal authority, both in print and electronic formats. You will also be introduced to and practice the basic conventions of written legal analysis, primarily focusing on objective legal writing. These skills and conventions include how to find, choose, and cite to appropriate authority; how to organize a written legal analysis; and how to write an objective legal memorandum. (Next semester, in Lawyering Skills II, the focus will shift to persuasive legal writing, more complex legal analysis, and additional legal resources and research techniques).

**class schedule:**

Each Lawyering Skills section has two class meeting times scheduled for each week. Generally, the Tuesday class meeting will cover writing topics, and the Thursday class meeting will cover research topics. Many of the class meetings will include opportunities to work in smaller groups. Please note there are exceptions to the Tuesday-writing and Thursday-research
arrangement in the syllabus, particularly toward the end of the semester. As you integrate your new research and writing skills more, the distinction between the two weekly class meetings will be less pronounced.

**attendance:**

Attendance is **mandatory** for all scheduled class meetings and other scheduled course activities, and it is recorded by signing the attendance sheet. The absence of a signature on an attendance sheet is conclusive evidence of absence. Each student will be allowed up to two absences for any reason, without penalty. For each absence over two, one point will be deducted from the total raw score points earned by the student in the course. Any student who misses a class is responsible for obtaining from classmates all material covered during the class. Be aware, however, that if you miss a class, it is often impossible to duplicate the active learning exercises that take place during class. No deadlines will be extended based solely on a student’s absence from a class. This policy applies to all regularly scheduled class sessions listed in this syllabus, as well as other required activities scheduled during the semester (e.g., scheduled Westlaw and Lexis training sessions, scheduled writing conferences, scheduled client interviews, etc.).

**assignments:**

Along with many shorter assignments, you will write two complete legal memoranda. For the first complete memo, we will provide a set of facts and cases for you to use. For the second memo, you will interview clients (people role-playing) to collect the facts, and you will do your own research to locate the relevant authorities. Your research skills will be assessed in separate research exercises and a research examination, as well as within the context of your second memo. As you work on the various assignments, you should check with the Lawyering Skills professors and teaching assistants whenever questions arise.

For readings assigned in the texts to prepare for class, you do not need to prepare any exercises found in those texts. Written assignments are specified separately below, and additional short assignments may be announced on the course D2L site or in class. For readings assigned in the *ALWD Guide to Legal Citation*, please skip any paragraphs and examples labeled “academic formatting” and identified by a maroon line in the left-hand margin. Your Lawyering Skills professors will assume you have read the assigned reading before the class. **Students who do well in the course read all of the assigned reading carefully before class.**
grading:

Based on a maximum raw score of 100 points for the entire course, the maximum number of points you may earn on each assignment toward your final course grade is:

- partial legal memorandum exercise: 10 points
- first conference preparation: 2 points
- closed legal memorandum: 20 points
- research log: 2 points
- research exam: 25 points
- second conference preparation: 2 points
- open research memorandum: 30 points
- client interview: 3 points
- professionalism: 2 points
- Core Grammar post-test: 4 points

Your Core Grammar post-test points will be determined by your highest post-test score achieved before the deadline, at 4:00 p.m. on Friday, September 16th, using the following scale:

- 90% to 100% - 4 points
- 80% to 89% - 3 points
- 70% to 79% - 2 points
- 60% to 69% - 1 point
- below 60% - 0 points

(You will have access to Core Grammar for a full year, and your writing professor may ask you to continue working on some sections covering skills that you can still improve.)

At the end of the semester, your writing professor will add up all of your course points to arrive at your course raw score. Then she will curve the raw scores for her two sections together, following the required grade distribution and required grade median for all first year courses at the School of Law, to arrive at your final course grade.

professionalism:

Lawyers are professionals, and part of what you will be learning in the Lawyering Skills course is how to handle yourself professionally in the context of your legal education and your newly acquired legal skills. Your professors will base the professionalism part of your grade on your timely completion of all LS pass-fail and graded assignments, drafts, and re-writes; your attendance and active participation in class; your adherence to the course policies; and how you conduct yourself in person and by e-mail, with your classmates, the TA’s, and the professors. For
example, surfing the Internet in class, e-mailing an LS professor during the time you are in another professor's class, coming to class late, or e-mailing the professor with a question answered in the syllabus would all be unprofessional conduct. This is not an exhaustive list of unprofessional conduct. Before you act, please consider whether you would say or do what you want to say or do in front of a judge or in a meeting with a senior attorney in a law office.

minimum requirements:

You must satisfactorily complete every assessed assignment in the course to pass the course. “Every assessed assignment” includes the shorter pass-fail writing assignments, the shorter pass-fail research assignments, the partial legal memo, the two memos, the research exam, and the client interview. Your professors have full discretion to determine whether you have satisfactorily completed each assessed assignment or need to re-do it. If you have questions or you find yourself confused or uncertain as you work on the assignments, talk to your professors and TA’s.

Lawyering Skills I is a three credit hour class. The American Bar Association standards require you to spend at least 9 hours of your time each week on the course. The classroom component is scheduled for 2 ½ hours each week. Note that this amount of time is purposely less than the 3 hours each week that most three credit hour classes meet in the classroom. The course focuses on attaining various lawyering skills, so a good deal of the learning occurs as you work through the exercises and assignments outside of the classroom and when you talk to your professors and TA’s. At first, you should expect to spend 6 ½ hours on your work outside of the classroom for this course each week. Toward the end of the semester, some classroom time will be canceled, to allow you to spend more time on your work outside the classroom.

classroom electronics:

The basic rule during class is simple: no electronic grazing. This rule applies to your use of laptops, phones, tablets, and all other mobile or wireless devices. Some professors may prohibit all use of electronic devices during class. Others may ask you to use them during certain classroom exercises. When permitted, use is limited to class note taking and other tasks authorized by your professor, such as following along as the research professor walks the class through the steps of using an electronic source of law. Unauthorized electronics use during class may result in losing the use of the electronics for the remainder of the semester. Unauthorized use during class includes texting, e-mailing, gaming, shopping, and accessing other sites not related to the classroom topic. Please turn off phone ringers and texting functions before class begins.
recording:

Lawyering Skills I class sessions generally will not be recorded. Students may not record the class sessions without the professor’s permission. If you feel you need a recording of a class session due to exceptional circumstances, ask the professor teaching that session well in advance for permission.

emergency procedures:

SIUC is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, you should become familiar with the SIUC emergency response plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in campus buildings, at http://www.bert.siu.edu, at http://www.dps.siu.edu, and in the Emergency Response Guidelines pamphlet. You should know how to respond to each type of emergency. Instructors will guide and direct students in the classroom if an emergency affects your location. Follow their instructions, and stay with your instructor during an evacuation or sheltering emergency. The Building Emergency Response Team will assist your instructor if you need to evacuate or shelter in the building.

accommodations & assistance:

The SIU Disability Support Services office determines and provides academic support services for students with permanent and temporary disabilities. To receive accommodations, go to the DSS office, http://disabilityservices.siu.edu/. There you will have an interview, have your documentation reviewed, and complete a Disability Accommodation Agreement. Give that agreement to the School of Law Registrar, who arranges classroom and exam accommodations. If you do not have documentation, you should still start at DSS for assistance.

Saluki Cares is a university-wide program of care and support for students in any type of distress—physical, emotional, or financial. You can reach Saluki Cares at 618-453-5714, siucares@siu.edu, or http://salukicares.siu.edu/index.html. School of Law Assistant Dean Judi Ray will also help you access university resources. You can contact her at judiray@siu.edu, 618-453-3135.
Week 1
Tuesday, August 23
class topic: introduction to Lawyering Skills I
prepare for class:
• Shapo, pp. 32-37, 1-11
• ALWD, pp. 1-8
hand in at the beginning of class: second case brief

Thursday, August 25
class topic: introduction to U.S. legal system; introduction to research process
prepare for class:
• Murray, pp. 1-16
• ALWD, pp. 9-12, 15-18

Thursday, August 25 – Friday, August 26
required Westlaw training
Failure to attend scheduled Westlaw training counts as an absence.

Week 2
Monday, August 29 – Tuesday, August 30
required Lexis training
Failure to attend scheduled Lexis training counts as an absence.

Tuesday, August 30
class topic: case synthesis
prepare for class: Shapo, pp. 68-66, 72-83, and exercise 2-H (just read it)
handed out: case synthesis exercise

Thursday, September 1
class topic: secondary legal authority: dictionaries, encyclopedias, ALR
prepare for class: Murray, pp. 112-116, 151-157

Week 3
Tuesday, September 6
class topic: introduction to the legal memorandum; statement of facts
prepare for class:
• Shapo, pp. 163-171
• Wydick, pp. 3-20
hand in at the beginning of class: case synthesis exercise
handed out: partial memo exercise
posted on D2L today: research exercise 1, secondary authority
Thursday, September 8
class topic: secondary legal authority: periodicals, texts and treatises
prepare for class: Murray, pp. 157-164

Week 4
Tuesday, September 13
class topic: small scale structure of written legal analysis
prepare for class: Shapo, pp. 135-153
hand in at the beginning of class: statement of facts
hand in via D2L, by 4:00 p.m.: research exercise 1, secondary authority

Thursday, September 15
class topic: statutory sources
prepare for class:
• Murray, chapter 2, pp. 25-69
• CALI, Rumsey & Thorpe, Introduction to State and Federal Statutes

Friday, September 16
4:00 p.m.: deadline for completing Core Grammar post-test

Week 5
Tuesday, September 20
class topic: larger scale structure of written legal analysis
prepare for class: Shapo, pp. 171-182, 155-160
hand in at the beginning of class: partial memo exercise
handed out: full closed memo assignment

Thursday, September 22
class topic: statutory research

Friday, September 23
hand in via D2L by 4:00 p.m.: case briefs of additional memo cases

Week 6
Tuesday, September 27
class topic: statutory construction
prepare for class: Shapo, pp. 189-202
posted on D2L today: research exercise 2, statutory research
Thursday, September 29
class topic: statutory research, continued

Wednesday, September 28 - Tuesday, October 4
required conference with writing professor

**Week 7**
**Tuesday, October 4**
class topic: citations and quotations
prepare for class:
• Shapo, pp. 512-515, 238-239
• Wydick, pp. 33-38
hand in via D2L by 4:00 p.m.: research exercise 2, statutory research

**Thursday, October 6**
class topic: case law sources
prepare for class: Murray, pp. 71-112, 120-134

**Friday, October 7**
hand in via D2L by 4:00 p.m.: full closed memo

**Week 8**
**Tuesday, October 11**
class topic: selecting authority
prepare for class: Shapo, pp. 11-27

**Thursday, October 13**
class topic: case law research
posted on D2L today: research exercise 3, case law research

**Week 9**
**Tuesday, October 18**
class topic: case law research: citators
prepare for class: Murray, pp. 116-120
Thursday, October 20
class topic: client interviewing & collecting facts
prepare for class:
• Shapo, pp. 281-292
• Wydick, pp. 41-53
handed out: client interviewing exercise; research log assignment
hand in via D2L by 4:00 p.m.: research exercise 3, case law research

Week 10
Monday, October 24 - Wednesday, October 26
client interviews

Week 11
Tuesday, November 1
class topic: questions & answers on open memo, research & writing
prepare for class: Wydick, pp. 55-65
hand in at the beginning of class: research log & outline of issues

Thursday, November 3
class topic: research review
prepare for class: list of questions

Week 12
Tuesday, November 8, 8:30 a.m. – 12:00 noon
research exam, rooms 202 & 204

Thursday, November 10 - Tuesday, November 15
required conferences with writing professor
hand in: full draft of open research memo (bring to conference)

Week 13
Tuesday, November 15
class topic: plain English, gender neutral language, editing & proofreading
prepare for class: Wydick, pp. 23-32, 69-79

Friday, November 18
hand in via D2L by 4:00 p.m.: open research memo