SYLLABUS
LAWYERING SKILLS II
LAWYERING SKILLS SECTIONS 1 AND 4
Professors Nolan Wright and Sheila Simon
Spring 2018

Contact information for professors:
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Teaching Assistants: Darryl Holdiness, Whitney Lundy
Administrative Assistant: Carol Manis, room 243

Class Sessions:
Room 202

Section 1  9:00-10:15
Section 4  11:00-12:15

Tuesdays with Professor Simon
Thursdays with Professor Wright

What you can expect to learn: During this semester we will teach you some of the foundational skills of the legal profession. These skills will be needed as soon as this summer, and for your career to come. Among other things, you will

▪ build on skills and knowledge developed in the fall to find and use statutory and case law
▪ find, understand and use state and federal law, including
  legislative history
  administrative law,
  regulations, and
  practitioner materials
▪ advocate for your client in person in
  negotiations and
  oral argument,
▪ write persuasive legal documents
Required texts:


Class meetings: We will meet twice a week. Generally, the Tuesday class meeting will cover writing topics, and the Thursday class meeting will cover research topics. There will be exceptions along the way, which are noted in the schedule at the end of this document.

Attendance: Be here, it’s what you paid for. We work to make sure each class session is valuable. Attendance will be recorded by your signature on the attendance sheet at the beginning of each class. You will be allowed up to four absences for any reason, without penalty. For each absence over four, we will deduct five points from your score in the course. No deadlines will be extended based solely on your 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 such as electronic research training.

Office hours: Your professors are in their offices a lot. (Nerd alert!) Stop by any time, no appointment is necessary. If it works better for you to make an appointment in advance, please do so.

Assignments: You will write two documents on behalf of your client. The first will be a letter to your opponent, the second will be an appellate brief. Your research skills will be assessed in separate research exercises and a research examination, as well as within the context of your writing assignments.

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.

Grades: The number of points you can earn on each assignment is:
- research plan and working list of sources: 10 points
- letter to opposing counsel: 20 points
- research exam: 30 points
- appellate brief: 30 points
- oral argument: 5 points

Your total score will be ranked with Lawyering Skills sections 1 and 4, and your grade will be calculated after applying the required median and required grade distribution.
**Plagiarism:** Policies on plagiarism and other topics will be distributed on the first day of class and will be posted on D2L.

**Workload expectations:** Even if you haven’t thought about this, the American Bar Association has! The ABA’s standard for accrediting law school has a formula for calculating the amount of work that is expected to go into one credit hour. According to the ABA, one credit hour is earned through “not less than one hour of classroom or direct faculty instruction per week and two hours of out-of-class student work per week for 15 weeks, or the equivalent amount of work over a different time.” Lawyering Skills is a three credit hour course, so the ABA is expecting you will spend an average of six hours out of class preparing for the 3 hours in class each week. This seems like a pretty smart plan.

**Yikes -- stress!** There are many potential stressors in your life. Here is some information about campus-wide effort that might be able to help. 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, 618-453-8135.

**Accommodations & assistance:** We want everyone in this class to succeed. If a disability is challenging you, here is some information about how to seek accommodations. 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.

**Recording class sessions:** As a general rule we will not allow audio or video recording in class. We feel you will be more likely to participate in and learn from the class session if you are not worried that someone else is recording you. If there are circumstances that you believe require recording, let us know.

**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.
Course schedule:

Please note that in addition to the information listed below about research class sessions and assignments that out of class sessions for Westlaw training will be scheduled, dates and times to be determined.

**Week 1**  
**Tuesday, January 16**  
Introduction to persuasion –at last!  
Read Neumann 245-263

**Thursday, January 18**  
fall semester review; research strategy  
Read Murray & DeSanctis, pp. 1-15, 197-204 and 220-225

**Week 2**  
**Tuesday, January 23**  
Introduction to persuasive legal writing  
Read Neumann 267-296

**Thursday, January 25**  
Administrative regulations  
Read Murray & DeSanctis, pp. 135-149

**Week 3**  
**Tuesday, January 30**  
Negotiation preparation  
Reading to be distributed  
**Thursday, February 1**  
Administrative regulations

**Week 4**  
**Tuesday, February 6 both sections meet at 9:00**  
Negotiations with opposing side, Q & A on persuasive letter  
Posted on D2L at 1:00 p.m.: research exercise 1, administrative law research

**Wednesday, February 7 through Friday, February 9**  
Individual conferences on drafts of letter

**Thursday, February 8**  
Agency decisions & other agency materials  
Readings to be assigned
Week 5
Tuesday, February 13
Citing, quoting, and otherwise getting the final polish on your letter
Read Neumann 99-119
Hand in via D2L by 5:00 p.m.: research exercise 1, administrative law research

Thursday, February 15
Legislative history
Read Murray & DeSanctis, pp. 165-181 (to beginning of state legislative history)

Friday, February 16
Turn in letter through D2L by 5pm

Week 6
Tuesday, February 20
Fast forward to appellate court
Read Neumann 311-343
Posted on D2l at 1:00 p.m.: research exercise 2, legislative history research

Thursday, February 22
Legislative history

Week 7
Tuesday, February 27
Arguments in the appellate brief
Read Neumann 345-349
Hand in via D2L by 5:00 p.m.: research exercise 2, legislative history research

Thursday, March 1
Court rules & jury instructions

Week 8
Monday, March 5, both classes meet together at 9:00
Midterm week; no legal research class

Spring Break
Monday, March 12 – Friday, March 16
Week 9  
Tuesday, March 20  
What what? Q & A on the brief  
Posted on D2l at 1:00 p.m.: research exercise 3, court rules, jury instructions, and practice aids research  

Wednesday, March 21 – Friday, March 23  
Conferences on briefs  

Thursday, March 22  
Form books and other practice aids  
Reading to be assigned  

Week 10  
Tuesday, March 27  
Oral argument  
Read Neumann 351-359  
Hand in via D2L by 5:00 p.m.: research exercise 3, court rules, jury instructions, and practice aids research  

Thursday, March 29, both classes meet together at 9:00  
Using dry run arguments to improve your writing content  
Turn in brief through D2L by 5pm  

Week 11  
Tuesday, April 3  
Research review  

Thursday, April 5, 8:30am -12:00pm, all sections  
Research exam  

Week 12  
Monday, April 8 – Friday April 13  
Oral argument practice rounds  

Week 13  
Monday, April 16 – Friday, April 20  
Oral arguments