**SYLLABUS**  
**LAWYERING SKILLS II**  
**Spring 2015**

**Required texts, all sections:**


Additional required materials and information for the assignments will be distributed through the Lawyering Skills D2L site and in class.

**Recommended texts** (useful references, not required):


<table>
<thead>
<tr>
<th>LS §</th>
<th>time</th>
<th>writing professor</th>
<th>research professor</th>
<th>teaching assistants</th>
<th>room</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>9:00 T-Th</td>
<td>Twinette Johnson</td>
<td>Nolan Wright</td>
<td>Blair Keltner, Adam Loos</td>
<td>202</td>
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<td>2</td>
<td>9:00 T-Th</td>
<td>Melissa Marlow</td>
<td>Alicia Jones</td>
<td>Steven Rodgers, Alisha Biesinger</td>
<td>206</td>
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<td>3</td>
<td>9:00 T-Th</td>
<td>Valerie Munson</td>
<td>Doug Lind</td>
<td>Kelli Anderson, Alex Riley</td>
<td>251</td>
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<td>4</td>
<td>11:00 T-Th</td>
<td>Twinette Johnson</td>
<td>Nolan Wright</td>
<td>Blair Keltner, Adam Loos</td>
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<td>6</td>
<td>11:00 T-Th</td>
<td>Valerie Munson</td>
<td>Nancy Strohmeyer</td>
<td>Kelli Anderson, Alex Riley</td>
<td>251</td>
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Course description:

This semester, you will learn and practice additional fundamental lawyering skills. You will receive further instruction in LexisNexis, Westlaw, Bloomberg Law, and Internet legal research. You will also learn how to research legislative history, administrative law materials, and lawyers’ practice aids, such as form books and litigation aids. You will have additional practice in the basic conventions of written legal analysis, primarily focusing on persuasive legal writing, while completing a trial brief and an appellate brief. In addition, you will be introduced to the skills of negotiation and appellate oral argument.

Class schedule:

Each Lawyering Skills section has two class meeting times scheduled for each week. Generally, the Tuesday meeting will cover writing topics, and the Thursday meeting will cover research topics. Many of the class meetings will include opportunities to work in smaller groups. Please note there are a few exceptions to the Tuesday-writing and Thursday-research arrangement in the syllabus, particularly toward the end of the semester.

Attendance:

Attendance is mandatory for all scheduled class meetings and other scheduled 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 unexcused absences without penalty. Any student with more than two unexcused absences will face sanctions, including grade point penalties, course grade reduction, and withdrawal from the course. Any student who misses a class is responsible for obtaining from classmates all material covered during the class; remember, some professors will not be recording classes. No deadlines will be extended based 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., required Westlaw, Bloomberg, and Lexis training sessions, required writing conferences, scheduled oral arguments, guest speaker’s presentation, etc.).

Assignments:

Along with shorter assignments, you will write a trial level memorandum of law and an appellate brief. You will also have a research exam that will consist of two parts: objective and practical application. As you work on the various assignments, please do not hesitate to check with your Lawyering Skills professors, teaching assistants, or the Legal Writing Specialist whenever questions or uncertainties arise. The Legal Writing Specialist, Krissi Geary-Boehm, can be reached at kgeary@siu.edu, and her office is located in Room 213. She will be hosting topical legal writing labs throughout the semester, which are optional but beneficial to students who attend.

For readings assigned in the textbooks to prepare for class, you do not need to prepare any exercises found in those textbooks. Written assignments are specified separately below, and additional short assignments may be announced on the course D2L site or in class. Your
Lawyering Skills professors will assume you have read the assigned reading before the class session for which it is assigned.

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

- trial brief: 25
- appellate brief: 40
- research exam: 25
- oral argument: 5
- professionalism: 5

At the end of the semester, your writing professor will add up your points to arrive at your course raw score. Then she will curve the raw scores for both of her 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.

**Minimum requirements:**

You must receive a passing grade on every assessed assignment in the course to pass the course. “Every assessed assignment” includes the shorter pass-fail writing assignments, the shorter research assignments, the graded trial brief, the graded appellate brief, the research exam, and the oral argument. If you do not pass one of these assignments, at the discretion of your Lawyering Skills professor and the Lawyering Skills Director, you may be allowed to try again to achieve a passing grade on the assignment. To be fair to the rest of the class, the number of points you receive towards your course raw score will remain the number you received when you initially handed in the assignment, but the fact you repeated the assignment and passed it will be recorded.

Do not hesitate to ask your Lawyering Skills professors, the TA’s, or the Legal Writing Specialist if you have questions or you find yourself confused as you work on the assignments.

**Classroom electronics:**

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

Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, we ask that you become familiar with the SIUC emergency response plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in buildings on campus, on BERT’s website, www.bert.siu.edu, on the Department of Safety’s website www.dps.siu.edu (disaster drop down), and in the Emergency Response Guidelines pamphlet. Know how to respond to each type of emergency.

Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency. The Building Emergency Response Team will provide assistance to your instructor in evacuating the building or sheltering within the facility.

Week 1
Tuesday, January 20
class topic: introduction to Lawyering Skills II; introduction to pleadings & trial brief
prepare for class: Edwards, pp. 253 - 263
handed out: trial brief assignment; research log assignment

Thursday, January 22
class topic: introduction to persuasive legal writing
prepare for class: Edwards, pp. 265 - 278

Week 2
Tuesday, January 27
class topic: persuasive Statement of Facts; Q&A on trial brief research

Thursday, January 29
class topic: research strategy; introduction to administrative regulations
prepare for class: Olson, pp. 167 - 187
hand in: at the beginning of class: research log and list of sources for trial brief in correct citation format

Week 3
Tuesday, February 3
class topic: negotiation
prepare for class: Suzanne Schmitz, A Guide to Negotiating

Thursday, February 5
class topic: administrative regulations
prepare for class: Olson, pp. 198 - 202
Week 4
Tuesday, February 10
class topic: Q&A on trial brief writing; argument organization in trial brief
hand in: at beginning of class: outline of issues for trial brief
handed out: peer editing exercise
posted on D2L sections pages at 1:00 p.m.: Research Exercise 1: Administrative Law Research

Thursday, February 12
class topic: agency decisions & internal materials
prepare for class: Olson, pp. 187 - 194

Thursday, February 12 – Wednesday, February 18
required writing conferences, schedule TBA
bring to conference: full draft of trial brief, written list of questions

Week 5
Tuesday, February 17
class topic: citations & quotations
prepare for class: Edwards, pp. 185 - 212
hand in by 5:00 p.m. via D2L: Research Exercise 1: Administrative Law Research

Thursday, February 19
class topic: legislative history
prepare for class: Olson, pp. 109 - 142

Friday, February 20
hand in: by 9:00 a.m., in LS box & via D2L: trial brief

Week 6
Monday, February 23 - Tuesday, February 24
Mandatory Bloomberg Law training
Failure to attend one training session for each system counts as an absence.

Tuesday, February 24
class topic: peer review exercise; appellate record; front pages of appellate brief
prepare for class: Edwards, pp. 330 - 352
hand in: at beginning of class: peer editing exercise
handed out: appellate brief assignment
posted on D2L sections pages at 1:00 p.m.: Research Exercise 2: Legislative History

Wednesday, February 25 - Thursday, February 26
Mandatory Lexis training
Failure to attend one training session for each system counts as an absence.
Thursday, February 26  
class topic: legislative history  
prepare for class: Olson, pp. 143 - 147

Week 7
Monday, March 2 - Tuesday, March 3
Mandatory Westlaw training  
Failure to attend one training session for each system counts as an absence.

Tuesday, March 3  
class topic: argument section of appellate brief; standard of review  
prepare for class: Edwards, pp. 292 - 318  
hand in: at beginning of class: draft front pages of appellate brief; list of additional sources for appellate brief  
hand in by 5:00 p.m. via D2L: Research Exercise 2: Legislative History

Thursday, March 5  
class topic: court rules; jury instructions  
prepare for class: Olson, pp. 309 - 318; 331 - 332

Spring Break: Monday, March 9 - Friday, March 13

Week 8
Tuesday, March 17  
class topic: point headings  
hand in: at beginning of class: draft of argument section of appellate brief  
posted on D2L sections pages at 1:00 p.m.: Research Exercise 3: Court Rules & Practice Materials

Thursday, March 19  
class topic: form books & litigation aids

Week 9
Tuesday, March 24  
class topic: Q&A on appellate briefs  
prepare for class: re-read draft of appellate brief; Edwards pp. 359 - 363  
hand in: at beginning of class: draft of point headings  
hand in by 5:00 p.m. via D2L: Research Exercise 3: Court Rules & Practice Materials

Thursday, March 26  
class topic: getting ready for summer – free sources
**Wednesday, March 25 – Monday, March 30**
required writing conferences, schedule TBA
bring to conference: full draft of appellate brief, written list of questions

**Week 10**
**Tuesday, March 31**
class topic: effective oral argument

**Thursday, April 2**
class topic: oral argument nuts & bolts
prepare for class: Edwards, pp. 365 - 375
hand in: by 6:00 p.m., in LS box & via D2L: appellate brief

**Week 11**
**Tuesday, April 7**
class topic: research review

**Thursday, April 9, 11:00 a.m. – 12:30 p.m.**
Research Exam, objective portion – rooms TBA

**Week 12**
**Monday, April 13 – Friday, April 17**
Research Exam, practical application portion
oral argument practice rounds - schedule TBA

**Week 13**
**Monday, April 20 – Friday, April 24**
oral arguments - schedule TBA