

# INTRODUCTION TO LAWYERING STUDENT SYLLABUS: SCHEDULE OF CLASSES AND ASSIGNMENTS FALL 2019

## REQUIRED TEXTS

- Linda Edwards, *Legal Writing and Analysis* (5th ed. 2019)
- *The Bluebook: A Uniform System of Citation* (20th ed. 2015) (“Bluebook”)
- Blackboard supplemental materials

## RECOMMENDED TEXTS

- Bryan Garner, *The Redbook: A Manual on Legal Style* (4th ed. 2018). Recommended readings from the Redbook will be listed on the syllabus. Readings are tracked to topics covered in class or loosely tracked to the Core Grammar assignments due that week.
- A Legal Dictionary (book or electronic version – *Black’s Law Dictionary* is the classic)

## WRITING ASSIGNMENT DUE DATES

- First Version of Discussion (2000 words) – September 8, at 11am
- Discussion Re-write (2000 words) – Due 7 days after your conference at 11pm
- First Version of Office Memo (2600 words) – November 3, 11 am
- Rewrite of Office Memo (2600 words) – Due 7 days after your conference at 11 pm

### **Introduction to the Syllabus**

Welcome to Introduction to Lawyering. The course description, goals, and policies are included in the Introduction to Lawyering Policies and Requirements that I am posting on Blackboard. To follow the course and be aware of what is required of you, please read carefully the following documents:

- 1) Introduction to Lawyering Policies and Requirements (posted on Blackboard)
- 2) Student Syllabus: Schedule of Classes and Assignments (this document)
- 3) Fall Calendars for Monday/Wednesday classes and Tuesday/Thursday classes (posted on Blackboard)

I will count on you to know this information, and we will not spend significant time reviewing it. I will try to avoid schedule changes, but it may sometimes be necessary, and I will be sure to notify you of updates by email and/or Blackboard. Please note that assignments may be added or changed as the semester progresses. I will let you know as soon as possible of any changes.

Fall 2019  
As of 7.19.19

You will notice that, unlike your other law school classes, there are out-of-class scheduled activities in this course that include:

- Writing a Legal Discussion Conferences, Interview Conferences, and Office Memo Conferences,
- Simulated lawyering exercises

We will do our best to schedule these out-of-class activities during Introduction to Lawyering class time. However, some activities will necessarily take place outside of class time to accommodate all students within a given time frame. For those of you who are full time students, I will assume you are available Monday through Friday, 9:00 a.m. to 6:00 p.m., whenever you do not have class or a required 1L section meeting. If you are a part-time student and you have a standing weekly commitment, please let me know.

All reading assignments, writing assignments, and any other assignments listed on this syllabus must be completed before the date under which they are listed.

### **Disability Support**

If you have, or think you might have, a disability that requires an accommodation in order to maximize your prospects for success in Law School, please contact either our Assistant Dean of Students, Andrea Cascarano, or the Office of Disability Support Services at the University at (973) 313-6003.

All accommodations must ultimately be sought through and approved by the ODSS. It will make every effort to accommodate documented disabilities of every kind. The deadline for submitting applications (including reports from physicians, psychologists and other professionals) to Disability Support Services to establish eligibility for accommodations on exams for the Fall semester is on or about November 1st and on or about April 1st for the spring semester. This deadline ensures that the documentation review process will be completed and accommodations in place in time for final exams. More information is provided at <https://www13.shu.edu/offices/disability-support-services/index.cfm>, but Dean Cascarano at the Law School can also advise you about the process.

Fall 2019  
As of 7.19.19

## **Lawyering Orientation: Intro to Legal Analysis and Interactive Lawyering** August 16

### **Topics Covered:**

- Role of lawyer as interpreter of law
- Structure of court system and weight of authority
- Primary and secondary authority
- Principles of precedent and *stare decisis*
- Case briefing
- Introduction to interpersonal skills and competency in working across differences

### **Student Assignment:**

- Read Edwards Ch. 1 (Lawyer's Role), Ch. 2 (Legal System, Common Law Process and Kinds of Authority), Ch. 3 (Briefing and Synthesizing Cases)
  - Brief U.S. v. Reid
  - Read chapter from Krieger & Neumann on Multicultural Lawyering
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## **WEEK 1: August 19-23**

### **Class 1: Introduction to Lawyering Course, Crafting Rules and Synthesis**

#### **Topics Covered:**

- Review: Structure of the Court System and Weight of Authority; Primary and Secondary Authority; Principles of Precedent and *Stare Decisis*
- Crafting Rules and Synthesis
- Course Goals, Themes, Logistics
- Plagiarism
- Introduce Writing a Legal Discussion exercise and logistics

#### **Student Assignment:**

- Re-read Edwards Ch. 3 (Briefing and Synthesizing Cases)
- Read Dubner & Levitt “A Star is Made” posted on Blackboard
- Read Policies and Course Requirements, Syllabus and Fall Calendar
- Read Operations Memo and Assignment Memo for Legal Discussion exercise posted on Blackboard

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### **Class 2: Meeting the Client & More Synthesis**

#### **Topics Covered:**

- Meeting the Clients
- Synthesis Practice

#### **Student Assignment:**

- Prepare Ex. 3-2 for class. Bring in hard copies.
- NYTimes article – The Fine Art of Listening
- Read McMillan v. City of Jackson for Legal Discussion assignment (all cases for this assignment will be posted on Blackboard)

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#### **Assignment due Friday August 23:**

- Register for Core Grammar (CG)
- Take CG Pre-test

## **WEEK 2: August 26-August 30**

### **Class 3: Large Scale Organization & Intro to CREAC**

#### **Topics Covered:**

- Large Scale Organization: outlining a rule
- CREAC (small-scale organization)

#### **Student Assignment:**

- Watch interview of client posted on Blackboard
  - Read Ch. 6 (The Writing Process and Law Trained Readers), Ch. 7 (Large-Scale Organization: Creating an Annotated Outline), Ch. 8 (Small-Scale Organization: Explaining the Law)
  - Complete ex. 7-1 from Edwards. Bring hard copy to class.
  - Read all cases for Legal Discussion assignment.
  - Write outline of overall rule in our case.
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### **Class 4: More CREAC, Organization & Citation Format**

#### **Topics Covered:**

- Rule Application
- Review of the CREAC structure
- Organization of multiple issues and umbrella section
- Introduction to Citation Format

#### **Student Assignment:**

- Read Edwards Ch. 9 (Small-Scale Organization: Applying the Law), Ch. 10 (Discussing Multiple Issues; Putting it Altogether),
- Prepare written responses to Edwards Ex. 8-2 and 9-2. Send written responses to your professor 24 hours in advance of class. Also bring in two hard copies to class.
- Reading on the Bluebook: Edwards Ch. 19 pp. 217-223 (Citation in Legal Writing and Citation Form; focus on Bluebook rather than ALWD)
- Read Bluebook:
  - Rule 10, pp. 94-118
  - Skim table One, pp. 233-306, (paying most attention to our jurisdiction), and
  - Table Six, pp.496-98.

Fall 2019  
As of 7.19.19

- Bring Bluebooks to class.
  - Recommended: Redbook pp.169-183 on citation
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**Student Assignment due August 30:**

- Complete CG Section A: Sentence Structure
- Recommended Reading: Redbook section 1 on commas, semicolons, and colons

Note: if you placed out of any particular exercise on Core Grammar you will not have to complete the exercise when it is due. If you have questions about whether you have placed out of a specific exercise, ask your professor.

## **WEEK 3: September 2-6\***

**\*Note: Monday classes will be rescheduled for later this week**

### **Class 5: Pre-Writing Workshop; More Citation & Quotations**

#### **Topics covered:**

- Pre-Writing Workshop
- Citation – when to cite

#### **Student Assignment:**

- Read Edwards Ch. 19 pp. 224-239 (Citations and Quotations; focus on Bluebook rather than ALWD citation)
  - Bring Bluebooks to class
  - Pre-writing:
    - Complete a case chart and bring it to class
    - Complete a one-page outline of Legal Discussion and bring to class
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#### **Student Assignment due September 4:**

- Complete selected problems from Lexis ICW Exercises 1, 2, 3, 5, & 15. Specific problems to complete within each exercise will be posted on Blackboard.
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### **Class 6: Reflection Guidelines and Revising your Work**

#### **Topics Covered:**

- How to revise a draft
- Introduction to Reflection Guidelines – how to use them in this class
- Last questions before assignment is due

#### **Student Assignment:**

- Bring in a sentence you are struggling with for editing workshop

Fall 2019  
As of 7.19.19

- Read Edwards Ch. 20 (Paragraphs, Sentences, and Style)
  - Read Edwards, Appendix A Sample Office Memorandum
  - Recommended: Redbook on editing and proofreading pp.379-386 & section 11 on stuffy words and legalese
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**Student Assignment due September 8, 11 am:**

- First Version of Legal Discussion
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## **WEEK 4: September 9-13**

### **Class 7: Secondary Source workshop, Debrief First Assignment**

#### **Topics Covered:**

- Types of secondary sources
- Finding, using, and citing to secondary sources
- Role of ethics and justice in lawyering
- Debrief legal discussions

#### **Student Assignment:**

- Read Counseling a Client Assignment Memo 1
  - Watch Secondary Source narrated Power Point posted on Blackboard
  - Read BB rules 15 and 16, pp. 149-171.
  - Suzanne Rowe, Legal Research, Legal Writing and Legal Analysis: Putting Law School into Practice (posted on Blackboard)
  - Bring laptops, Lexis, and Westlaw IDs
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### **MANDATORY WESTLAW AND LEXIS TRAININGS**

#### Lexis:

Section A: Wednesday, September 11 2:45-3:45 Room 273

Section B: Wednesday September 11 1:40-2:40 Room 273

Section C: Thursday September 12 2:15-3:15 Room 273

#### Westlaw:

Section A: Thursday September 12, 2-3 Room CHANGED TO ROOM 371

Section B: Thursday September 12, 3:15-4:15 CHANGED TO ROOM 371

Section C: Thursday September 12, 1-2 Room 273

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#### **Student Assignment due September 13:**

- Complete CG Section B: Quotations & Section C: Lists
- Recommended: Redbook on quotation marks pp. 25-30, on capitalization 4th ed. 67-84, & on document design (section 4 4th ed. 93-115)

## **WEEK 5: September 16-20**

### **Class 8: Client Interviewing & Client-Centered Lawyering**

#### **Topics Covered:**

- Intro to facts and lawyers engagement with facts
- Intro to client interviewing and client centered lawyering
- Review logistics of Counseling a Client exercise

#### **Student Assignment:**

- Read Operations Memo for Counseling a Client & Assignment Memo 2
  - Read articles posted on Blackboard on interviewing:
    - Binder & Bergman, Client-centered Lawyering
    - Binder & Bergman, T-Funnel Questions
    - Shapo Reading on Client Interviewing
  - Re-watch the first ten minutes of the interview of the client from the first assignment and identify at least three moments where the interviewer demonstrated interview techniques or principles you noticed from the reading. Please also note any moments where the interviewer could have done a better job following the techniques and principles outlined in the reading. Bring your notes to class.
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### **Class 9: Client Interviewing**

#### **Topics Covered:**

- Practice and discuss stages of an interview, effective question techniques, building rapport, identifying client goals
- Prep for taped interview

#### **Student Assignment:**

- Secondary Source Research Homework due at 9:00 a.m.
  - Read in-class interview exercise instructions and background materials (“Jan Nikodev” materials posted on Blackboard).
  - Read Reflection Guidelines.
  - Conduct additional preliminary research to prepare for taped interviews. Read key cases you identify in your research.
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#### **Student Assignment due September 20:**

- CG section D: Verbs & Agreement

Fall 2019  
As of 7.19.19

- Recommended: Redbook on Spelling (section 7; focus on plurals and possessives) and Grammar (section 10)

## **WEEK 6: September 23-27**

### **Legal Discussion Conferences & Taped Interviews (No Regularly Scheduled Lawyering Class this week)**

Conferences: Professors will send you conference schedule to sign up

Interviews: You will receive a signup genius email with the schedule and location for your interview; sign up with your interview partner. Within 48 hours of your interview you and your partner should draft and send your professor a Memo to the File. Instructions on what to include in this memo are found in the Operations Memo for Counseling a Client.

#### **Rewrite of Discussion is due 7 days after the conference at 11pm**

(See Operations Memo for Writing a Legal Discussion for a chart of due dates. Students observing Rosh Hashanah can speak to their professor to request an additional day to complete the assignment.)

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## **WEEK 7: September 30 – October 4\***

**\*Monday classes will be rescheduled for later this week**

### **Class 10: Case Law Research Workshop & Intro to Office Memo**

**Topics Covered:**

- Researching case law using electronic databases
- Overview of parts of an office memo

**Student Assignment:**

- Watch Case Law Research narrated PowerPoint
  - Read Edwards Ch. 12 (Writing an Office Memo)
  - Recommended: Redbook on research memos (section 16)
  - Bring laptops and Lexis IDs to class
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### **Class 11: Question Presented & Brief Answer**

**Topics Covered:**

- Question presented
- Brief answer

**Student Assignment:**

- Complete Question Presented, Brief Answer exercise posted on Blackboard (“melon farmer” exercise posted on Blackboard)
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## **WEEK 8: October 7-11**

### **Class 12: Citation Workshop and Discussion of Preliminary Research**

#### **Topics Covered:**

- Review of Citation format for cases and introduction to public domain citation
- Discussion of preliminary research on memo topic and brainstorm on relevant facts

#### **Student Assignment:**

- Read Intern Notes for Office Memo Assignment (posted on Blackboard)
- Read Bluebook pp. 18-21 (on citing to statutes), T1 p. 301 (on Wisconsin citation), and p. 104 R10.3.3 on public domain citation.
- Preliminary Research Assignment: Using the tools you learned in Class 10, find and read at least 3 primary sources that help you determine the rule for when covenants not to compete are upheld in our jurisdiction. Bring copies of these sources to class.
- Bring your laptop and a copy of your Memo to the File

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**October 14-18**

**Fall Break**

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## **WEEK 9: October 21-25**

### **Interview Conferences**

You will receive a link to your video and the video of the other student pair. Instructions on preparing for the interview conferences are included in the Operations Memo for Counseling a Client.

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### **Class 13: Meeting with the Partner**

**Topics Covered:**

- Meeting with professor in role as senior partner to discuss your research results

**Student Assignment:**

- Instructions on how to prepare for the Meeting with the Partner are attached to the Operations Memo for Counseling a Client
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### **Class 14: Statement of Facts, Research Debrief, Signals and Parentheticals**

**Topics Covered:**

- Statement of Facts
- Research Debrief
- Signals and Parentheticals

**Student Assignment:**

- Read Bluebook pp. 4-6, 58-66, 107-108
  - Bring Bluebook to class
  - Prepare for Research debrief. Professor will provide instructions.
  - Re-read Edwards pp. 133-137 on statements of fact
  - Bring in a statement of facts for the “melon farmer” assignment
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**Student assignment due October 25:**

- CG Section E (Style Manual Eccentricities) & Section E (Section F (Clarity)
- Recommended: Redbook on Troublesome Words (section 12.5 on offensive language) and Numbers (section 5)

## **WEEK 10: October 28-November 1**

### **Class 15: More CREAC & Citation**

**Topics Covered:**

- Using detail in your CREAC
- Citation practice and review

**Student Assignment:**

- Bring Bluebook to class
  - Other assignment TBA
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**Student Assignment due October 29:**

- Complete selected problems from ICW ex. 12 & 13. Specific problems to complete within each exercise will be posted on Blackboard.
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### **Class 16: Revise and Edit & Review Reflection Guidelines**

**Topics Covered:**

- Reflection Guidelines
- Editing
- Citation

**Student Assignment:**

- Review Reflection Guidelines
  - Send professor sentences for Can This Sentence Be Saved exercise by 5 p.m. the night before class
  - Other assignment TBA
  - Bring Bluebooks to class
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**Student assignment due November 3, 11 am:**

- First Version Office Memo
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**WEEK 11: November 4-8**

**No regularly scheduled Lawyering class**

**Student Assignment due November 8:**

- CG Post-test due
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**WEEK 12-13: November 13-20**

**First Version Memo Conferences**

**Final Version due 7 days after conference at 11 pm**

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**WEEK 14: November 25-November 28**

**Class 17: Last Class**

**Topic Covered:** TBA

**Student Assignment:** TBA

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