

**Lab, Fall 2019**  
**Professors Martinez & Homer**

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**Goals & Expectations.**

As the name of this course suggests, Lab is our opportunity to experiment with some of the skills, knowledge, and values of the legal profession. We hope you will come to class prepared to explore these things with an open and creative mind.

Our work together will focus primarily on some of the concepts and methodologies in contract, tort, and criminal law. We'll use aspects of these doctrinal areas to learn about some common lawyering skills: interviewing clients, counseling clients, and negotiation.

The main purpose of this material is to explore five groups of interrelated questions:

1. What does it mean to be a lawyer? How do attorneys form their identities as lawyers? What kind of lawyer do you imagine you will be? Why do you want to be that kind of lawyer? How will you become that kind of lawyer? How will your attitudes towards yourself as a lawyer and the legal profession shape your work as an attorney?
2. What does it mean to be a person who needs legal services? What do clients expect from lawyers? What are the non-legal contexts in which a client's legal situation exists? How do these affect how the client chooses the best solution to his or her legal problem?
3. What is the purpose of lawyering activities like client interviewing, client counseling, and negotiation? What are some of the skills and techniques of these activities? When do these happen? How do lawyers prepare themselves for these activities? How do lawyers use these activities to help clients develop solutions for their legal problems? What is the relationship between these activities and your other classes?
4. How do lawyers take care of themselves as people who work in a demanding service profession? What stresses are likely to arise in both the practice of law and your legal training, and how can you prepare for them and respond to them? How can you be mindful and intentional about your legal training and your work as an attorney?
5. What does it mean to be an ethical professional? What are some of your duties to your clients, and how do you ensure that you are fulfilling those duties? What are some of your duties to the legal profession, and to the need for justice, and how do you ensure you are fulfilling those duties?

These questions implicate all of the School of Law's student learning outcomes, so as we go through the semester together, you should regularly think about how those learning outcomes are reflected in our work.

We hope this class will be engaging and that by the end of the semester you will have a clearer picture of the profession you are training to enter. To help make that happen, we have some specific expectations. You must:

- Do the reading before class and be prepared to talk in every class.
- Participate enthusiastically in the discussion and exercises in every class.
- Complete all assignments promptly throughout the semester.
- Treat each other with respect and compassion.
- Refrain from activities that will be distracting to your classmates.

We invite you to share among yourselves your ideas about this course, its assignments, and the larger questions we'll be talking about. Collaboration and discussion are central to becoming a good lawyer.

However, any work that you submit for a grade must be entirely your own work. If you are assigned a collaborative assignment, you may share only as much work as has been authorized. Turning in someone else's work and claiming as your own is plagiarism, which is academic dishonesty and violates the Honor Code. It is also inconsistent with the professional ethics of lawyers.

### **Syllabus, Assignments & Grading.**

This is the general syllabus that all sections of Lab will follow. From time to time, it may be necessary to make changes to this syllabus; if so, we'll do our best to give you as much notice as possible. You should register for the TWEN page for this course because important course information will be posted there.

The required text for this course is *Essential Lawyering Skills*, by Stefan H. Krieger and Richard K. Neumann, Jr. Any edition will be adequate. Other readings may be assigned over the semester.

Listed below are the major topics and assignments for the semester. Point values and due dates for the major assignments are indicated below. Your instructor will tell you how to submit these assignments.

- **Week 1: Introduction to Lab**
  - Wed. 8/21      Class 1: Welcome to Lab!
  - Thu. 8/22      Class 2: Meet Your Small Group Professors
- **Week 2: Professional Identity**
  - Wed. 8/28      Class 3: What is Professional Identity?
  - Thu. 8/29      Class 4: Role of the Lawyer: With Clients, In Society
- **Week 3: Lawyers in Practice**
  - Wed. 9/4        Class 5: Ethical Foundations (Small Groups)
  - Thu. 9/5        Class 6: Introduction to Negotiation

- **Week 4: Negotiation**
  - Wed. 9/11 Class 7: Negotiation Practice (Small Groups)
  - Thu. 9/12 Class 8: Ethics, Negotiation, and Professional Identity
- **Week 5: Negotiation**
  - Wed. 9/18 Class 9: Negotiation Practice (Small Groups)
  - Thu. 9/19 Class 10: Lawyers and Clients in Negotiation
- **Week 6: Negotiation & Attorney Wellness**
  - Wed. 9/25 Class 11: Negotiation Practice (Small Groups)
  - Thu. 9/26 Class 12: Attorney Wellness
  - Fri. 9/27 **DUE to Small Group Professor by email by 5:00 p.m.:**  
**Contract Term Sheet**  
**E-memo 1 on Negotiation**
- **Week 7: Counseling**
  - Wed. 10/2 Class 13: Introduction to Counseling
  - Thu. 10/3 Class 14: Counseling Practice (Small Groups)
- **Week 8: Counseling**
  - Wed. 10/9 Class 15: Advanced Issues in Counseling
  - Thu. 10/10 FALL BREAK
- **Week 9: Counseling**
  - Wed. 10/16 Class 16: Counseling Practice (Small Groups)
  - Thu. 10/17 Class 17: Introduction to Interviewing
  - Fri. 10/18 **DUE to Small Group Professor by email by 5:00 p.m.:**  
**Counseling Letter**  
**E-memo 2 on Counseling**
- **Week 10: Interviewing**
  - Wed. 10/23 Class 18: Interviewing Practice (Small Groups)
  - Thu. 10/24 Class 19: Advanced Interviewing;  
Case Development & Fact-Gathering
- **Week 11: Interviewing**
  - Wed. 10/30 Class 20: Interviewing Practice (Small Groups)
  - Thu. 10/31 Class 21: Lawyers and Social Change
  - Fri. 11/1 **DUE to Small Group Professor by email by 5:00 p.m.:**  
**Interview Video**  
**E-memo 3 on Interviewing**
- **Week 12: Interviewing**
  - Wed. 11/6 Class 22: Lawyers as Problem Solvers; Capstone Assignment
  - Thu. 11/7 Class 23: Capstone Assignment (Small Groups)
- **Week 13: Problem Solving**
  - Wed. 11/13 Class 24: Capstone Assignment
  - Thu. 11/14 Class 25: Capstone Assignment (Small Groups)
- **Week 14: Capstone**
  - Wed. 11/20 Class 26: Capstone Assignment
  - Fri. 11/22 Class 27: Capstone Assignment (Small Groups)  
NOTE: this is a “legislative” Thursday

- **Week 15: End of Class**

- Tue. 11/26     Class 28: Last Class
- Fri. 12/6     **DUE to Professor by email by 10:00 p.m.:**  
**Capstone Assignment**

Your final grade will be determined according to these point values:

• Contract Term Sheet:	10
• E-Memo 1:	10
• Counseling Letter:	10
• E-Memo 2:	10
• Interview Video:	10
• E-Memo 3:	10
• Capstone Portfolio:	120
• Professionalism:	20

Professionalism includes your class participation, attendance, and the timely submission of assignments. Unexcused absences or late papers may result in a deduction of one point from your professionalism grade for each absence or each day an assignment is late (including weekends and holidays).

If you see that you will be unable to meet a deadline, you should discuss this with your large group professor (not your small group professor) as soon as possible. Small group professors do not grant extensions, and informing your small group professor that your assignment will be late will not suffice for an extension. Note that computer failures generally do not justify an extension. No late assignments will be accepted more than five days after the due date without a prior extension.

### **Accommodations & Title IX.**

The School of Law is committed to meeting the needs of students with physical, learning, and other disabilities, and it provides appropriate accommodations and services tailored to each person's specific requirements. The Career and Student Services Office is available to assist students with qualified disabilities. To determine if an accommodation is appropriate for you, please contact the main campus's Accessibility Resource Center at 277-3506. You should also inform the Law School's Student Services office. All disability matters are strictly confidential.

Title IX prohibitions on sex discrimination include various forms of sexual misconduct, such as sexual assault, rape, sexual harassment, domestic and dating violence, and stalking. Current UNM policy designates instructors as required reporters, which means that if instructors are notified (outside of classroom activities) about any Title IX violations, they must report this information to the Title IX coordinator. However, the American Association of University Professors' (AAUP) "Statement on Professional Ethics" requires that we protect students' academic freedom and "respect the confidential nature of the relationship between professor and student." Therefore, we have pledged to honor student confidentiality and will strive to respect

your wishes regarding reporting. If you or someone you know has been harassed or assaulted and would like to receive support and academic advocacy, there are numerous confidential routes available to you. For example, you can contact the Women's Resource Center, the LGBTQ Resource Center, Student Health and Counseling (SHAC), or LoboRESPECT. LoboRESPECT can be contacted on their 24-hour crisis line, (505) 277-2911 and online at [loborespect@unm.edu](mailto:loborespect@unm.edu). You can receive non-confidential support and learn more about Title IX through the Title IX Coordinator at (505) 277-5251 and <http://oeo.unm.edu/title-ix/>. Reports to law enforcement can be made to UNM Police Department at (505) 277-2241.