LAWYERING PROCESS I

COURSE NO. 900

SECS. 5 AND 10

FALL 2020

COURSE GUIDELINES AND SYLLABUS

Synchronized Class Times on Zoom

Tuesdays and Thursdays

Sec. 5 from 8:30 a.m. to 10:00 a.m.

Sec. 10 from 1:30 p.m. to 3:00 p.m.

PROFESSOR SHAUNDRA KELLAM LEWIS
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THE PROFESSOR AND OFFICE HOURS

NAME: Professor Shaundra Kellam Lewis

EMAIL: shaundralewis@tmslaw.tsu.edu

PHONE NUMBER: (713) 313-1348

ZOOM INFORMATION: ID for all Zoom events: 447-572-6474

Password for all Zoom events: Letslearn

OFFICE HOURS: Tuesdays and Thursdays from 10:00-11:00 a.m. and 7:00 to 8:00 p.m. (All other days and times by appointment only)

Office hours will be online. I will have a Zoom meeting open during office hours. Office hours will be on a first-come-first-serve basis. You may drop by my virtual office hours individually or in a group. The Zoom waiting room feature will be enabled, and I will let you into the room one at a time. If you enter the meeting during my office hours, and I do not immediately let you inside the Zoom room, it will be because someone else is already in a meeting with me. I will let you in the room as soon as I finish with that student.

CLASS FORMAT: Because our health and safety is of utmost concern to me and the university, I will be teaching online the entire semester and you will be learning remotely at least for the first few weeks of school. I will use TWEN for classroom management, including email, posting course materials, collecting your assignments, and posting grades. You must sign up for my TWEN course; be sure you sign up for the TWEN course for your Lawyering Process section. Our classes will be held synchronously through Zoom at the scheduled date and time on the university’s course schedule. You must register for a free Zoom account at www.zoom.us. Per school policy, all of our classes will be recorded and posted on TWEN. If in-person classes resume this semester, whether you will attend any particular class session live on the TMSL campus or remotely away from campus, you must bring your computer and headphones to every class. See Policies and Procedures, starting on page 14, for more details.

NOTE FROM THE PROFESSOR:

Welcome! I look forward to working with you this school year. My goal is for you to succeed. If you are having a hard time with the course material, please reach out to me.

Email is the best way to reach me. You can email me anytime, and I will reply to you as soon as possible. If you email a question about class material or assignments, I may need to respond to the entire class so that everyone has equal access to information. In that event, I will not reveal the identity of the student who posed the question.
COURSE BOOKS AND MATERIALS

The required materials for this course are:

(1) Coughlin, Malmud, & Patrick, A Lawyer Writes, 3rd Edition
(3) The Bluebook: A Uniform System of Citation, 21st Edition
(4) Core Grammar for Lawyers (an online grammar instructional program; see page 10 for additional details)
(5) Hill & Vukadin, Legal Analysis: 100 Exercises for Mastery

The highly recommended textbooks for this course are:

(7) Black’s Law Dictionary

These books are available at Texas Southern University’s Bookstore in the Student Life Center. Some of the books are also available from other sources, such as Amazon. Make sure you check the edition number to purchase the correct book (you may not use an old edition). If you have not already done so, you should purchase the required books right away. We will be using some of them immediately.

Frequently, I will post required course materials on TWEN. I strongly suggest that you get a large three-ring binder to keep all of your class materials organized.
COURSE DESCRIPTION AND OBJECTIVES

The primary goal of this course is to teach you basic lawyering skills that are critical to the lawyering process. These skills will equip you to address legal issues that you will encounter as a law student, summer intern, or practicing lawyer. The course will essentially teach you how to think like a lawyer and how to communicate your analysis and arguments in writing effectively.

In your law practice, every case will be somewhat different. Frequently, a new case may not be related to any of your substantive law school coursework or your prior practice experience. However, if you have developed a set of basic lawyering skills and know the process of lawyering, you should be able to effectively advocate for your client, no matter what the legal issues are. Again, the goal of this course is to teach those foundational skills.

By the end of this course, you should be on your way to being practice-ready, meaning you should be able to perform any legal task typically assigned to a first-year law student intern, including being able to find the applicable law, thoroughly apply that law to any set of facts, and convey a well-reasoned analysis in a legal document.

In general, this course will focus on the basics of the following skills:

1. **Legal analysis and writing**—including reading cases, narrowing and expanding holdings, using and distinguishing precedent, synthesizing cases, issue spotting, applying law to facts, interpreting statutes, developing and evaluating legal arguments, and objective/predictive legal writing. In the fall semester, we will study predictive writing. We will study persuasive legal writing during the spring semester.

2. **General writing skills**—understanding the importance of being able to communicate in writing competently, with correct spelling, punctuation, word choice, and phrasing. Completing Core Grammar for Lawyers will give students the writing tools needed for them to be competent legal writers. We will work on writing skills, style, and grammar rules to ensure clarity, succinctness, and well-written English in all work products.

3. **Critical reading and thinking**—reading and understanding judicial opinions and the impact the opinions may have on future cases, using the case analysis skills discussed above, and interpreting statutes.

4. **Citation skills**—using proper Bluebook and Greenbook citation form.

5. **Professionalism**—recognizing professional responsibility in legal writing, and showing professional courtesy by being on time, prepared for class, respectful to your classmates and to me, and timely submitting assignments.
**STUDENT LEARNING OUTCOMES**

The following provides a more detailed list of the student learning outcomes and objectives for this course. This list reflects the key lawyering skills that you will acquire during the fall semester in Lawyering Process I, and will continue to learn, develop, and practice during the spring semester in Lawyering Process II. You will continue to hone these skills in your second and third year of law school.

1. **Understanding of the United States Legal System.** Students will be able to:
   a. Understand the federal and state court systems (with emphasis on the Texas courts) and how they relate to each other;
   b. Understand how to distinguish between primary, secondary, mandatory and persuasive authority.

2. **Critical Reading and Thinking.** Students will be able to:
   a. Read, understand, and evaluate cases by:
      i. Identifying the elements of a reported opinion: procedural facts, legally relevant facts, issue, holding, reasoning, policies, legal rules, and disposition;
      ii. Synthesizing a line of related opinions;
   b. Read, understand, and evaluate statutes and regulations.

3. **Professionalism.** Students will be able to:
   a. Understand a lawyer’s professional responsibility as it relates to legal communications;
   b. Recognize and address ethical issues and responsibilities.

4. **Legal Problem Solving.** Students will be able to:
   a. Identify and analyze legal issues in simple and complex fact situations;
   b. Conduct research efficiently, identify the relevant controlling and advisory legal authority and policy, and properly cite to legal authority;
   c. Use their understanding of relevant legal authority to predict answers to the legal issues or questions presented;
   d. Identify potential alternatives to achieve the client’s goal;
   e. Identify unresolved legal and factual issues.
5. **Legal Analysis.** Students will be able to make effective legal arguments by:
   a. Identifying the legal issues;
   b. Identifying the relevant facts, authority (cases, statutes, and/or regulations), and policy;
   c. Developing, elaborating, and evaluating legal theories relevant to the client’s situation;
   d. Accurately formulating and applying authority and rules (or principles of law) to the client’s situation;
   e. Supporting the client’s position by analogizing to favorable facts, authority, and policy;
   f. Distinguishing unfavorable facts, authority, and policy from the client’s position;
   g. Articulating clear inferences for factual support.

6. **Legal Writing.** Students will be able to:
   a. Identify the need and purpose of legal documents, assess the perspective of the recipient of the communication, and use reliable communication practices and principles;
   b. Communicate and explain their analysis and position effectively in writing to colleagues, supervisors, clients, or judges by:
      i. Organizing and expressing ideas with precision, clarity, logic, and economy;
      ii. Using proper grammar, syntax, and punctuation;
   c. Draft the following legal documents that communicate clearly and comply with applicable rules and formatting requirements:
      i. Predictive memorandum;
      ii. Client letter and client email;
      iii. Practice Multi-State Performance Test exercise;
      iv. Persuasive trial brief;
      v. Professional resume and cover letter.
**GRADING**

**General Grading Information**

1. **Course Format:** Lawyering Process I is a three-credit hour course. The course consists of two basic components: (1) Legal Analysis and Writing and (2) Legal Research.

2. **Final Grade:** Your final grade will be based on the following:
   - Legal Analysis and Writing (this class) 800 points
   - Legal Research Class 200 points
   
   TOTAL: 1000 points

   Your grade for this class will be based on the cumulative total of the scores you have received for the following:
   - Writing Assignment #1 50 points
   - Writing Assignment #2 75 points
   - Writing Assignment #3 (Final Exam) 350 points
   - Core Grammar for Lawyers 50 points
   - Other Assignments (total) 245 points
   - Participation, Professionalism, and Attendance 30 points
   
   TOTAL: 800 points

   “Other Assignments” include but are not limited to legal analysis exercises, citation assignments, case briefs, tests, case charts, resume and cover letter preparation, and quizzes. I have allocated 245 points for this category. If we end up not using all these points, everyone will get those remaining points.

   **Finally, all LP classes are required to adhere to the following mandatory curve, as reflected in the current Student Rules and Regulations:**

   **A:** 10-13%
   **B:** 25-34%
   **C:** 35-45%
   **D/F:** 0-08%

   Please note that the only way to have these ranges add up to 100 is to award the maximum in each category, such that 53% of the class receives a grade of “C” or below. As you consider a reasonable grade outcome for this class, please keep this in mind.
ACCOMMODATIONS AND EMERGENCIES

If you require special accommodations, please fill out the necessary forms with the Dean's office. Your application and documentation will remain confidential. Your prompt attention will allow the law school to accommodate you as soon as it has been made aware of your situation. Please see: http://www.tsulaw.edu/academics/18SuAccommodationsInformationWeb.pdf

If you have an emergency or otherwise need special accommodation (such as an extension or a note taker), please contact Dean Virgie Mouton (Student Affairs) to get approval, and then contact me. You must contact Dean Mouton and notify me before the related assignment is due.

Dean Mouton
Assistant Dean for Student Development and Academic Support
Phone: 713.313.7909
Email: vmouton@tmslaw.tsu.edu

WELLNESS RESOURCES

Law school is hard. It’s stressful and all-consuming in the best of circumstances, much less in the unusual situation we are all in right now. It can get the best of all of us sometimes. If you are struggling, I encourage you to get some help. If you see someone else struggling, encourage that person to reach out. We have to take care of ourselves and each other.

Dean Mouton works with students to resolve issues that might impact their course of study. You can reach her at vmouton@tmslaw.tsu.edu or 713.313.7909.

As part of your tuition, TSU’s University Counseling Center (in the Student Health Center) offers confidential counseling and support, crisis intervention, grief counseling, outreach, and referral services to all enrolled students. Contact the counseling center through http://students.tsu.edu/departments/university-counseling-center/ or by calling 713.313.7804 during business hours (M-F, 8-5). For an emergency after business hours, call 911. For a non-emergency crisis after business hours, call 713.313.7863.

The Texas Lawyers Assistance Program from the State Bar of Texas is an amazing resource, not only for practicing lawyers but specifically for law students as well. TLAP offers confidential crisis counseling, referrals, and peer assistance relating to alcohol and drug abuse, mental health issues, and wellness. Contact TLAP through https://www.tlaphelps.org or by calling 800.343.8527 (available 24/7).

I’m always available if you need a sounding board or have any other type of problem you need to discuss. Please drop in during Zoom office hours or email me.
PARTICIPATION, PROFESSIONALISM, AND ATTENDANCE

Class participation will be considered in determining your final course grade. “Participation, Professionalism, and Attentiveness” points (“PPA points”) will be deducted for the following:

1. Being unprepared for class or not answering when called upon;

2. Being disrespectful to me or your classmates (for example, sending me an unprofessional email or missing a scheduled or mandatory conference without providing adequate notice);

3. Failing to timely follow instructions, such as signing up for a mandatory conference by the deadline or using the wrong exam number on an anonymous assignment; and

4. Otherwise displaying unprofessional conduct such as getting up and down during our Zoom class meetings. (Note: Given the length of our class, there will be a scheduled bathroom break during class).
**Core Grammar for Lawyers**

Core Grammar for Lawyers (CGL) is an online program of grammar and punctuation instruction and review. It is comprised of twenty-four lessons and related practice exercises. Each student must complete the online course—and pass the post-test—before the end of the semester. The program is structured to allow a student to proceed at an instructional pace suited to the student. Depending on the student’s existing skill level, each lesson takes typically between one and two hours to complete.

The CGL course is designed to provide formal grammar and writing review for legal writers at all levels of competency. The course is taken by law students and practicing lawyers throughout the U.S. CGL is first rate—in the legal field there is no better review course. The course is updated every year. The writing skills learned through CGL will help you in LP, your other law school courses, and when you practice law. Your CGL program is good for one year.

The CGL online course includes three parts: (1) a diagnostic pre-test, to help you see your present level of competence; (2) twenty-four lessons; and (3) a post-test, to measure whether you have mastered the lessons. You must complete the post-test with a score of at least 75 to complete the CGL course. See below for more details.

**Registering for Core Grammar for Lawyers**

Each student must register individually for CGL.

**Cost:** Registration for CGL for TMSL students is $30.00 (The $30 fee is a discounted fee for TMSL students.)

**Registration:** Please carefully follow these steps:


2. Complete the registration form. Be sure to select- “Texas” for your state, and “Texas Southern University – T. Marshall School of Law” for your school.


4. Payment—enter your credit card information where requested, verify the purchase, and continue to create your Core Grammar for Lawyers account.

5. **IMPORTANT**—Class Code—enter your LP Section’s CGL Class Code. If you are in Lawyering Process, **Section 5, use code 320-206-8111**. If you are in Lawyering Process, **Section 10, use code 320-206-8332**. The CGL Class Code is important for you to get credit for completing the course!
Completing Core Grammar for Lawyers

After completing the registration, it’s time to start. Begin using CGL by completing the Diagnostic Pretest. Satisfactory completion of one or more lessons in the pretest will earn you “books” indicating you know the material in those books and exempt you from taking those lessons.

After completing the pretest, complete each lesson in sequence. You will earn a “book” upon completion of each lesson. You must restart a lesson if you make a mistake.

After completing each book, take the post-test. I require that you score at least 75 to pass the CGL course. You may take the post-test an unlimited number of times to achieve the minimum score.

You must complete all twenty-four CGL lessons and complete the post-test with a minimum score of 75 by 5:00 p.m. on Friday, October 16, 2020. No exceptions. Work at the pace you can best fit into your schedule. I recommend completing at least three CGL lessons each week—more if you can handle them. Don’t try to fit them all in at the last minute.

CGL is worth 50 points in this class, and to earn those 50 points, you must complete the post-test with a score of at least 75 by the deadline. If you are late, or if you score less than 75, you will receive zero points. **If you are on time, and you score 95 points on the post-test, you will receive 10 points of extra credit in addition to the 50 points for completing CGL.**
# ACADEMIC CALENDAR

## THURGOOD MARSHALL SCHOOL OF LAW

**TEXAS SOUTHERN UNIVERSITY**  
**ACADEMIC CALENDAR 2020 – 2021**

### FALL SEMESTER 2020 (Modified 13-Week Schedule)

<table>
<thead>
<tr>
<th>Event</th>
<th>Days</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Orientation</td>
<td>Mon-Fri</td>
<td>August 3 – 7, 2020</td>
</tr>
<tr>
<td>First Day of Class</td>
<td>Monday</td>
<td>August 10, 2020</td>
</tr>
<tr>
<td>Last Day to ADD/DROP</td>
<td>Wednesday</td>
<td>August 12, 2020</td>
</tr>
<tr>
<td>Labor Day (NO CLASSES)</td>
<td>Monday</td>
<td>September 7, 2020</td>
</tr>
<tr>
<td>Purge of all unpaid course selections</td>
<td>Monday</td>
<td>September 14, 2020</td>
</tr>
<tr>
<td>Mid Term Examinations</td>
<td>Mon – Fri</td>
<td>October 5-9, 2020</td>
</tr>
<tr>
<td>Last Day to Drop a Class with grade of “W”</td>
<td>Friday</td>
<td>October 30, 2020</td>
</tr>
<tr>
<td>Last Day of Classes</td>
<td>Wednesday</td>
<td>November 4, 2020</td>
</tr>
<tr>
<td>First Year Professors’ Grades due</td>
<td>Wednesday</td>
<td>November 4, 2020</td>
</tr>
<tr>
<td>Reading Period (NO CLASS)</td>
<td>Thurs- Sun</td>
<td>November 5-8, 2020</td>
</tr>
<tr>
<td>Final Examinations</td>
<td>Mon – Thu</td>
<td>Nov 9 – 19, 2020</td>
</tr>
<tr>
<td>Commencement Exercises</td>
<td>Saturday</td>
<td>November 21, 2020</td>
</tr>
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### SPRING SEMESTER 2021

**TBA**

Please note that the calendar events and/or dates are subject to change. 
Updated July 13, 2020
POLICIES AND PROCEDURES

Requirements for Online Class

1. All classes will be held synchronously at the date and time specified in the syllabus. We are starting the semester with all classes online. At some point this semester, on-campus classes might resume following a hybrid model, where some students will attend particular class sessions on campus and others will attend off campus. I will teach online the entire semester.

2. The same attendance and participation rules and expectations apply for on-campus and off-campus class sessions. As per Dean Bullock’s instructions, I will take attendance for every class and will record all class sessions. You are expected to have your video on during the entire class period, except during a scheduled break. I must be able to verify your attendance.

3. If you elect to attend in person on campus when the law school permits, regardless of whether I am in the classroom or not, you must remain in our physical classroom during the entire class period, except during our scheduled break, and must have a computer and headphones with you.

4. If you are attending class off campus, you should be in a space with minimal distractions and interferences and be able to access your course materials. Pay attention to your background and surroundings to avoid anything embarrassing or noisy. Silence notifications on your computer and phone. I recognize that many of us are in shared spaces and sometimes a pet or a person may walk in the room. But let’s all do our best to maintain a professional environment.

5. When you join the Zoom class, turn your video camera on if you are able but mute your microphone. Turn on your microphone only when you speak in class.

6. Treat the online class as a professional environment. When connecting off campus, turn on some lights so I can see you. No pajamas! Work at a desk or table and not, for example, while driving in a car or out for a walk.

7. You can access our online Zoom class with meeting code 447-572-6474 and password Letslearn. Be logged in and ready to go before class time so that we can begin class on time. I will open the Zoom classroom fifteen minutes before class.

8. If technical difficulties occur during class, please keep an eye on your email for further instructions. Please be patient and expect technical difficulties, as most of us are new to video conferencing. If you experience technical problems, please rejoin our Zoom class as soon as you are able. (Note technical problems that occur when you are being called upon will be viewed with suspicion).

9. If possible, use a desktop or laptop computer rather than a mobile device. The connection will be better, the video will be more stable, and using a mobile device for a Zoom class will consume an enormous amount of data. Zoom classes drain your battery, so make sure you have a full battery or power cord nearby for class.
Class Preparation

To maximize your learning experience, you should complete the reading and writing assignments in the Syllabus no later than the date that the assignments appear on the Syllabus. For instance, if under the date “Tuesday, August 11, 2020,” it says read pages 1-20 in A Lawyer Writes, you should have done this reading before you enter the class on that day. Please note that reading and writing assignments are subject to change, and sufficient notice will be given in advance for any alterations to assignments.

Exam Numbers

You will be required to use an exam number when submitting certain assignments for this class. You must adhere to the instructions given with each assignment. In general, you will use three different exam numbers over the course of the semester (corresponding to each of the three major writing assignments). You can obtain exam numbers from the Registrar, Trudy Green, at Trudy.green@tmslaw.tsu.edu, unless you are instructed otherwise. Any changes to the exam number policy or schedule will be announced in class, sent by e-mail, or posted on TWEN. You will not need an exam number to post your daily assignments unless I tell you one is required.

Writing Assignments

1. Overview of Major Writing Assignments: You will complete three major writing assignments in the fall semester—Writing Assignments #1-3. All will be an objective memorandum. You must use an anonymous EXAM NUMBER when submitting each of these assignments. DO NOT put your name on any of these graded writing assignments, as we must preserve your anonymity during the grading process. Also, remember that you must comply with all formatting requirements for each of these assignments.

For Writing Assignment #1 and Writing Assignment #2, you will be graded both on form and substance. You must complete these assignments to the very best of your ability, and I will provide detailed, individualized critique on each one. As with the other major assignments, Writing Assignment #3 will be graded both on form and substance. Consider this assignment as your “final performance exam or assessment” in Lawyering Process I; thus, you will not receive any individualized feedback on this assignment. It is imperative that you work diligently on Writing Assignments #1 and #2 so that you are ready for the final assignment in this course.

2. Shorter Writing Assignments: In addition to your major writing assignments, you will complete shorter writing assignments that will assist you with honing your analytical and writing skills. Some of these assignments may be given in class under timed conditions. Hard work on these shorter, lower-point assignments will help prepare you for the higher-stakes major writing assignments.

3. Personal Resume and Cover Letter: Each student must timely prepare a personal resume and a personal cover letter for submitting the resume to any prospective employer. Instruction on the writing of these instruments—the resume and cover letter—will be provided by career placement experts in the Law School’s Office of Career, Professional Development & Diversity Initiatives. From their continuing consulting with employers, they will give you guidance on what is expected. Your resume and cover letter will be graded.
Assessments

This course is designed to help you acquire and develop the skills to practice law effectively, efficiently, and ethically. To help you meet that goal, I have designed your assignments to allow you to practice a skill and then analyze your own strengths and weaknesses and refine your skills as the semester progresses. In this way, the course mirrors what you will experience in practice, whether as an intern or as a recent graduate.

Just as in practice, you will encounter three basic ways to assess and thereby be able to improve upon your work. First, you will receive assessment from those assigning your work (in our case, this is faculty assessment—me or my writing advisor). I will provide individual, written critique on Writing Assignments #1 and 2, and we will discuss common problems on those assignments in class. I will also provide critique in mandatory individual conferences after Writing Assignment #2 and any other time upon request. Throughout the semester, I will provide individual and group critique on various other practice exercises and shorter writing assignments.

You may at times receive individualized written feedback on exercises from one of my writing advisors. If you feel that a writing advisor has provided advice that is inconsistent with something that I have said in class, you should defer to me. You are ultimately responsible for your own work; thus, if you are presented with conflicting advice, it is your responsibility to seek clarification from me.

Second, you will engage in peer assessment (your classmates). You will have the opportunity to receive feedback from your peers in a variety of ways throughout the semester. For example, we will engage in some peer review and critique exercises, collaborative writing assignments, and group discussions throughout the year.

Finally, and perhaps most importantly, you will engage in self-assessment. In response to faculty and peer assessment, you will assess your work to reflect on your skill set and make adjustments where necessary. I will provide other opportunities for self-assessment as well. For example, I will provide you with a writing sample or checklist designed to help you edit and refine your work by comparing your work to the exemplars. Likewise, I will provide model answers or annotated responses to short writing exercises for which you did not receive individualized feedback. As with the other forms of self-assessment, it will be up to you to make the most of this type of assessment.
Paper Formatting Requirements

The following formatting requirements for this course are based on the general rules for filing documents in most state and federal courts and apply to the major writing assignments, namely Writing Assignments 1-3. I will strictly enforce format requirements to ensure that all students have an equal amount of space in which to convey their ideas and learn from their mistakes. You will lose points for violating these formatting requirements. These formatting requirements will also help preserve your anonymity on the papers. If you have any questions regarding these guidelines or the guidelines on any individual assignments, please ask me. The formatting requirements are as follows:

- All documents must be typed using Microsoft Word and uploaded as a Word file.
- All documents must be typed in Times New Roman font and, if a physical copy is turned in, submitted on plain white, 8-1/2 x 11 inch paper (using one side only).
- The font size must be 12-point font and footnotes (if any) may be no smaller than 10-point font.
- Headers and footers (including page numbers) must be in the proper font type and size as well.
- Papers must have one-inch margins on both sides and at the top and bottom. This means no typing of any sort should be in the one-inch white space of the margins.
- Text must be double-spaced. Footnotes, block quotes, and headings must be single-spaced.
- Some legal writers prefer one space between sentences, and others prefer two. By spacing between sentences, I mean how many times you hit the space bar after the sentence concludes. Most law partners and judges prefer two spaces; therefore, I require two spaces between sentences. Note, this includes the spacing between citation sentences.
- Tabs, such as those used to begin a new paragraph, must be ½ inch in length.
- Each assignment must be consecutively paginated at the bottom of each page (centered).
- Please remove individually identifying meta data from any document you electronically turn in, so the anonymity of the grading process is preserved. Before our first anonymous assignment, I will post instructions on how to remove meta data.
- Be sure to print a hard copy of your assignment during the proofreading stages to make sure that you have complied with these format requirements.
Consequences for Late or Over-Length Assignments

1. Late Submission of Assignments: Because failure to timely submit a legal document in real life can have detrimental, irreversible, and sometimes fatal consequences, it is important to learn early in your legal education the importance of submitting assignments on time. Accordingly, I generally do not accept late assignments. If an assignment is turned in late, you will receive no credit for the assignment.

You will be required to upload all of your assignments on TWEN. Whenever you have successfully uploaded a document to TWEN, you will receive an email confirmation from TWEN. If you do not receive this confirmation, this means that your document has not been successfully uploaded and you need to try it again. Accordingly, do not wait until the very last minute to submit an assignment online, as this could result in a late submission for the assignment. Finally, it is your responsibility to prove that you submitted an assignment on TWEN by the deadline; thus, for your own protection, you should save your TWEN confirmation emails.

2. Submission of Over-Length Writing Assignments: Each major writing assignment will have a maximum page limit that I will enforce strictly. For each page or portion thereof that exceeds the page limit, you will receive a 10% reduction in your grade. In addition, I will not review any pages that exceed the page limit. If your paper does not comply with the font or margin requirement, I will consider it to have exceeded the page limit and will adjust the score for the assignment accordingly. Furthermore, you will lose points on a writing assignment for any other violations of the formatting rules. Please review these rules carefully.

3. Submitting an Assignment Multiple Times: If you submit an assignment multiple times, I will grade only the one turned in last before the deadline.

Attendance

Class attendance is mandatory. Attendance will be taken at the beginning of each class. Per the Student Rules and Regulations, for this three-hour course, you will be permitted three absences. Tardiness will not be permitted and will be considered an absence, as will dismissal from class for misconduct or lack of proper preparation. Please see the Student Rules and Regulations for information on grade reduction and further details on absences. The class attendance rule is strictly enforced. In addition, please review the Covid-19 Policy (see pages 20-21) for further information regarding the Attendance Policy.
**Collaboration**

You may discuss some of your assignments with your colleagues in your section of Lawyering Process I. You are all likely to learn from each other and will benefit more from the course if you approach it in a collegial manner. Indeed, this is consistent with the real-life-practice of law, as it is not uncommon to discuss and test some ideas with colleagues. However, your final written product on all of these assignments must be your own. Moreover, **no person can review or revise your work**—this includes writing advisors, classmates, other professors, family members, lawyers, and writing labs or student resources (either on the TMSL or main campus), and every other person. When you are writing or outlining your major writing assignments, you may not work directly with another person and may not discuss specific language you are putting on paper, the precise structure of your writing, or content. I should never see two papers that make the exact same arguments, follow an identical substructure, have substantially identical sentences, etcetera. Doing so is a violation of school policy, and the matter will be forwarded to the Dean for appropriate action. In addition, you will receive zero points for that assignment and may receive an F in the course on this basis alone, regardless of your points on other assignments.

I will inform you when collaboration on an assignment is permitted. If I do not announce that you may discuss your assignment with your colleagues, you are to assume that collaboration with them (or anyone else for that matter) is not allowed. Exchanging ideas with others on an assignment where collaboration is prohibited will be considered cheating and have dire consequences. **If you are unclear whether collaboration is allowed on a particular assignment, please ask me.**

**Plagiarism**

Plagiarism in any form is strictly prohibited and will not be tolerated. You may not plagiarize any other written work, including, but not limited to, another student’s writing, a sample, a document from a law firm, something you find on the internet, or any document filed with any court. Doing so is a violation of school policy, and the matter will be forwarded to the Dean for appropriate action. In addition, you will receive zero points for that assignment and may receive an F in the course on this basis alone, regardless of your points on other assignments.

**Gun Policy**

State law permits you to carry a concealed firearm on campus into areas that have not been designated as gun-free zones, provided that you have a Texas license to carry a concealed gun. My office and any space in which I work or meet with students is a gun-free zone; thus, it is unlawful to carry a firearm inside these spaces irrespective of whether you have a license to carry. Bringing a firearm into my office or any other designated gun-free zone on campus could lead to criminal charges and/or expulsion from this university. For a complete list of the gun-free areas on campus and the rules governing campus carry at this university, please visit Texas Southern University’s website.
COVID-19 INFORMATION SHEET

HEALTH AND SAFETY ON CAMPUS


2. If, before coming to campus, a student exhibits any symptoms of COVID-19 or does not feel well, the student should not attend class in person. The student should immediately notify the Assistant Dean for Student Development (virgie.mouton@tmslaw.tsu.edu) and attend classes online.

3. Students who have been sick with COVID-19 symptoms, have tested positive for COVID-19, or have been potentially exposed to someone with COVID-19 should attend classes online until they are cleared by their healthcare provider. The following is taken from the TSU & Coronavirus FAQs, [http://www.tsu.edu/about/administration/marketing-and-communications/coronavirus/faqs.html](http://www.tsu.edu/about/administration/marketing-and-communications/coronavirus/faqs.html):

   Those who have recently traveled internationally or believe they have been exposed to the virus and are experiencing influenza-like illness, with fever greater than 100.3, and symptoms, including cough, body aches, severe sore throat or runny nose, should seek medical attention, especially if symptoms worsen.

   **Students should contact TSU Health Services (713-313-7173) and identify themselves as having flu-like symptoms to obtain further recommendations and guidance.** Students should also consult with their regular health care provider or seek treatment at a local health center if they are overseas. Please call ahead to your health care provider to notify them of the reason for your visit.

   For additional information about COVID-19, including signs and symptoms, transmission and risk of exposure, and what to do if you are exhibiting symptoms, please refer to the resources section. The CDC’s website and Texas Department of State Health Services (DSHS) will also issue guidance for those planning to travel or who have recently returned.
4. While on campus and in classrooms, students should observe the rules for social distancing, social health etiquette, and general cleanliness.
   a. Students should practice hand hygiene, cough etiquette, and general cleanliness.
   b. Students should maintain at least 6 feet separation in all directions from other individuals.
   c. Face coverings (over the nose and mouth) are required for all students. Students without a face covering will not be allowed to enter the classroom. Students with an approved exemption and who notify their professor before the start of class may be allowed to wear a face shield instead of a face mask.
   d. Students should wash or disinfect their hands before each class and after any physical interaction with other persons in the classroom.
   e. Students should maintain classroom cleanliness. Students should create a clean classroom environment by putting away unnecessary personal items and cleaning their seating area intermittently.
   f. Students should not expect to enter the Law Building on a day other than the designated day for in-person attendance for an enrolled course. Entry will be permitted only if administration can determine that the maximum occupancy for COVID-19 social distance protocol has not been exceeded.
   g. Students who do not comply with the rules for social distancing, social health etiquette, and general cleanliness may be subject to discipline up to expulsion from law school.

**ATTENDANCE POLICY**

5. Students are required to attend classes consistent with the format of the enrolled course.
   a. Hybrid—instruction for courses in this format is delivered in person and simultaneously online. Enrolled students are divided into groups and required to attend weekly in-person classes on the weekday(s) predetermined by administration for the designated group. Students may only attend in-person classes on the administration-determined day to ensure that all enrolled students are guaranteed a physical seat for the class. Other class days for the week are to be attended online. Students who have COVID-related health and safety concerns in attending in-person classes must obtain a remote-instruction waiver from the Office of Student Affairs. The waiver can be requested for the entire semester or temporarily, based upon the personal circumstance of the affected student.
   b. Online—instruction for courses in this format is delivered 100% online.
   c. For the 100% online course and the hybrid course online instruction component, both the American Bar Association and the Law School rules oblige the professor to obtain assurance that the person who logs into the course online, participates in class, takes quizzes and exams, and engages in collaborative exercises is the student enrolled in the course. Without being limited to the following methods of attendance verification, professors may require attendance to be contingent upon confirmation of identity via webcam or require webcams to remain on for the entire class period.
WEEK 1

TUESDAY, AUGUST 11, 2020 (Class 1)

Topic: Introduction to Legal Writing and Legal Analysis; How to Read a Case; Case Briefing

Read: Course Guidelines and Syllabus (posted on TWEN)
Writing in a Legal Context (posted on TWEN)
A Lawyer Writes Ch. 1 (How Attorneys Communicate), pp. 33-34 (Reading for Comprehension), Section 3.2 (pp. 45-59) (Reading Judicial Opinions)
The Critical Legal Thinker’s Case Briefing Model (posted on TWEN)
How to Brief a Case (posted on TWEN)
Decoding the Dress Code (posted on TWEN) (have available for an in-class exercise)

THURSDAY, AUGUST 13, 2020 (Class 2)

Topic: Case Briefing (cont’d); Pre-Writing: Overview of the Four Stages of the Pre-Writing Process and Understanding the Story

Read: The Pre-Writing Handbook for Law Students (“PWH”) Ch. 1, Ch. 2 (pp. 9-16)

Due: (1) Eilers v. Coy case brief; and (2) written answer to Orientation to Critical Thinking Exercise # 7 on p. 8 in Legal Analysis: 100 Exercises for Mastery. (Post both on TWEN by 8:00 AM. in the appropriate drop box)

WEEK 2

TUESDAY, AUGUST 18, 2020 (Class 3)

Topic: Pre-Writing: Reading and Assessing the Relevant Authorities; Overview of Sources of Law with a Focus on Judicial Opinions

Read: PWH Ch. 5 (pp. 9-16, skip Figure 5-3) (cont’d on next page)
PWH Ch. 6 pp. 61-78 (complete exercises 6-1 (p. 65), 6-2 (p. 73), and 6-3 (p. 77))

A Lawyer Writes Ch. 2 (Sources and Systems of the Law)

Court Systems and Weight of Authority (posted on TWEN)

Due:

(1) Shipley and Monroe briefs. Post on TWEN by 8:00 a.m.
(2) Print a copy of Legal Vocabulary Matching Exercise (posted on TWEN) for use in class.

THURSDAY, AUGUST 20, 2020 (Class 4)

Topic: Rule-Based Reasoning and Analogical Reasoning; Pre-Writing: Building a Bridge Between Reading and Analysis, Analyzing Your Narrow Issues

Read: Rule-Based Reasoning; Analogical Reasoning (posted on TWEN)
A Lawyer Writes Section 8.1 (pp. 143-46) (Applying the Law: Rule-Based Reasoning), Section 8.2 (pp. 147-61) (Applying the Law: Analogical Reasoning)
PWH Ch. 7 (pp. 103-15) and Ch. 8 (pp. 119-31)
Fact pattern for use with Eilers Analogical Paradigm (posted on TWEN)

Due: (1) Eilers Analogical Paradigm using Worksheet: Analogical Paradigm to Approach Cases and an attached fact pattern (posted on TWEN). Post on TWEN by 8:00 a.m. Print a copy of Worksheet for use in class.

WEEK 3

TUESDAY, AUGUST 25, 2020 (Class 5)

Writing Assignment #1 Assigned

Topic: Writing Assignment #1; Pre-Writing: Moving from Pre-Writing to Writing; Organizing and Analyzing Your Research; Outlining; The Big Picture Parts and Principles of the Predictive Memo

Read: Writing Assignment #1 Materials, including Hillis v. McCall (posted on TWEN)
A Lawyer Writes Ch. 5 (pp. 73-90) (Organizing Your Legal Writing)
PWH Ch. 9
Predictive Writing Notes—Part I (posted on TWEN)

Due: Brief of Hillis v. McCall. Post on TWEN by 8:00 a.m.

THURSDAY, AUGUST 27, 2020 (Class 6)

Topic: Big Picture Parts of a Memo (cont’d); Introduction to Analysis with Emphasis on CRAC and CRRPAC, including Counterargument and Rebuttal

Read: A Lawyer Writes Ch. 6 (One Legal Argument) and pp. 99-100 (Explaining the Law)
Legal Analysis pp. 13-17 (Introduction to Legal Analysis)

Due: Written answer to Legal Analysis Exercise 13. Post on TWEN by 8:00 AM.

WEEK 4

Obtain your first anonymous exam number for this class. You'll use this for WA#1.

TUESDAY, SEPTEMBER 1, 2020 (Class 7)

Topic: Finding Your Argument, Developing Your Analysis, and Identifying the Governing Rule (the R in CRAC and CRRPAC); Identifying Subrule(s)/Test(s)

Read: A Lawyer Writes Ch. 4 (Finding Your Argument) & Section 7.1 (pp. 101-12) (Explaining the Law: Rules)
How to Derive a Test (posted on TWEN)
Guidance on How to Generate a Test from Precedent (Eilers) (posted on TWEN)
Generating Tests for Shipley and Monroe worksheets (posted on TWEN)
Watch Rule Synthesis video: https://www.lawschoolplaybook.com/new-blog-1

Due: (1) Print a copy of Generating Tests for Shipley and Monroe (posted on TWEN) for use in class.
(2) Legal Analysis Take-Home Quiz. Post on TWEN by 8:00 a.m.
THURSDAY, SEPTEMBER 3, 2020 (Class 8)

Topic: Identifying Subrule(s)/Test(s) (cont’d); Introduction to Citation; Open Discussion for WA#1

Read: Bluebook Rule B10 on Cases located in the blue pages in the front of the Bluebook

Due: (1) A rule, test, and rule statement for Monroe. Post on TWEN by 8:00 AM.

(2) Your written answer to Legal Analysis Exercise 41 on pages 90-02. Post on TWEN by 8:00 AM.

(3) Bring Bluebook to class.

WEEK 5

MONDAY, SEPTEMBER 7, 2020: WRITING ASSIGNMENT #1 DUE ON TWEN BY 8:00 AM. USE ONLY YOUR ANONYMOUS EXAM NUMBER.

TUESDAY, SEPTEMBER 8, 2020 (Class 9)

Topic: Discussion of Writing Assignment #2; Refresher on Memo Parts and CRRPAC; How to Write Discussion Conclusions (the first and last C in CRAC and CRRPAC); How to Write Rules [with a focus on rule paragraphs] (R in CRAC and CRRPAC)

Read: Writing Assignment #2 (posted on TWEN)

A Lawyer Writes Ch. 9 (pp. 179-84) (Conclusions to One Legal Argument)

Rule and Explanation (posted on TWEN)

Due: Print a copy of Rules Exercise (posted on TWEN) for use in class.

THURSDAY, SEPTEMBER 10, 2020 (Class 10)

Topic: Explaining the Law Through Case Illustrations (Rule Proofs) (RP in CRRPAC)

Read: A Lawyer Writes Section 7.2 (pp.113-32) (Explaining the Law: Case Illustrations)

Due: (1) Segway problem—(a) introductory conclusion and (b) rules paragraph based on statute, Shipley, and Monroe. Post on TWEN by 8:00 a.m.
(2) Print a copy of Rule Proof Exercise (posted on TWEN) for use in class.

**WEEK 6**

*Obtain your second anonymous exam number for this class. You'll use this for WA#2.*

**TUESDAY, SEPTEMBER 15, 2020** (Class 11)

**Topic:** Writing Your Application, including Affirmative Arguments and Counterargument/Rebuttal (A in CRRPAC)

**Read:** Application, Counterargument, and Rebuttal (posted on TWEN)

*A Lawyer Writes* Section 8.3 (pp. 163-74) (Applying the Law: Counter-Analyses); Section 8.4 (pp. 174-77) (Applying the Law: Organizing Your Application of the Law)

**Due:**

(1) Segway problem—case illustration/rule proof of Monroe. Post on TWEN by 8:00 a.m.

(2) Full chart of all WA2 cases. Make sure you include all relevant facts, rules and subrules, and the court’s holding and reasoning. Post on TWEN by 8:00 a.m.

(3) Print a copy of Affirmative Argument Exercise (posted on TWEN) for use in class.

**NOTE THAT THE DEADLINE FOR COMPLETING ALL 24 MODULES OF CORE GRAMMAR FOR LAWYERS AND THE POST-TEST IS IN ONE MONTH, FRIDAY, OCT. 16.**

**THURSDAY, SEPTEMBER 17, 2020** (Class 12)

**Topic:** Writing Your Application, including Affirmative Argument and Counterargument/Rebuttal (A in CRRPAC) (cont’d)

**Due:**

(1) Segway problem—(a) application section (including affirmative argument and counterargument/rebuttal) and (b) final conclusion. Post on TWEN by 8:00 a.m.

(2) Print a copy of Counterargument and Rebuttal Exercise (posted on TWEN) for use in class.

(3) Print a copy of CRRPAC Labeling In-Class Exercise (posted on TWEN) for use in class.
WEEK 7

TUESDAY, SEPTEMBER 22, 2020 (Class 13)

Topic: Common Problems on WA#1; Introducing and Connecting Legal Arguments (Roadmap Paragraphs and Application Headings); How to Structure WA2; Statement of Facts

Read: A Lawyer Writes Ch. 12 (The Discussion Section: Introducing and Connecting Legal Arguments)

Predictive Writing Notes Part II (posted on TWEN)

WA2 Outline Template (posted on TWEN)

A Lawyer Writes Ch. 14 (Statement of Facts)

Statement of Facts (posted on TWEN)

Due: (1) Legal Analysis Exercise #45 on pp. 100-102. Post on TWEN by 8:00 a.m.

(2) Print a copy of Statement of Facts In-Class Exercise (posted on TWEN) for use in class.

(3) Print a copy of Roadmaps Exercise (posted on TWEN) for use in class.

THURSDAY, SEPTEMBER 24, 2020 (Class 14)

Topic: Statement of Facts (cont’d); Question Presented and Brief Answer; Working with Multiple Authorities and Synthesizing Rules

Read: A Lawyer Writes Ch. 13 (Question Presented and Brief Answer)

Question Presented and Brief Answer (posted on TWEN)

Synthesizing Cases: Rule Synthesis (don’t do the exercises) (posted on TWEN)

Due: (1) Segway problem—statement of facts. Post on TWEN by 8:00 a.m.

(2) Statement of Facts Homework Exercise. Post on TWEN by 8:00 a.m.

(3) Print a copy of Synthesis In-Class Exercise (posted on TWEN) for use in class.
WEEK 8

TUESDAY, SEPTEMBER 29, 2020 (Class 15)

Topic: Question Presented and Brief Answer (cont’d); The Memo’s Heading, Introduction, and Conclusion Section; Citation Revisited (Review Basic Case Citation, Multiple Authorities, Short Forms)

Read: Bluebook Rule B.1.1 (Citation Sentences & Clauses), B.10.1-B10.3 (Full Citation of Cases), B.10.2 (Short Citation Form)

The Memo’s Heading, Introduction, and Conclusion Section (posted on TWEN)

Due: (1) Segway problem—question presented and brief answer. Post on TWEN by 8:00 a.m.

(2) Outline of QP/BA, Statement of Facts, and Discussion Section (including affirmative arguments, counterargument, and rebuttal) for WA2. Post on TWEN by 8:00 a.m.

(3) Bring Bluebook to class.

(4) Print a copy of Question Presented/Brief Answer Exercise (posted on TWEN) for use in class.

THURSDAY, OCTOBER 1, 2020 (Class 16)

Topic: Editing and Polishing Your Memo; WA#2 Work Day

Read: A Lawyer Writes, Section 7.3 (pp. 133-39) (Explaining the Law: Citing and Avoiding Plagiarism)

A Lawyer Writes, Ch. 16 (Editing & Polishing)

Editing and Polishing Checklist for WA#2 (posted on TWEN)

Client’s Case Dismissed After Attorney Filed Key Document 19 Minutes Late (posted on TWEN)

Firm’s Late Motion Filing (By a Minute) Proves Costly (posted on TWEN)

Due: (1) Complete draft of WA#2 to edit and polish in class.

(2) Printed copy of Editing and Polishing Checklist for WA#2 (posted on TWEN) for use in class.

In-Class Exercise: Editing and polishing WA#2
WRITING ASSIGNMENT # 2 DUE AT MIDNIGHT ON TWEN. USE YOUR SECOND EXAM NUMBER.

WEEK 9
Mid-Terms Week
Conference Week

TUESDAY, OCTOBER 6, 2020 (Class 17)

Writing Assignment #3 Assigned

Topic: Essay Exam Writing Workshop

Read: Essay Exams Writing Workshop Materials (posted on TWEN); All WA#3 materials, including the cases (posted on TWEN)

THURSDAY, OCTOBER 8, 2020 (Class 18)

Topic: Resume and Cover Letter Writing Workshop

Read: Resume and Cover Letter Writing Workshop Materials (posted on TWEN)

Due: Submit final draft of cover letter and resume to the Office of Career, Professional Development & Diversity Initiatives, following their instructions, by 5:00 p.m. on October 23, 2020.

WA3 Timeline: Start briefing WA3 cases

NOTE THAT THE DEADLINE FOR COMPLETING ALL 24 MODULES OF CORE GRAMMAR FOR LAWYERS AND THE POST-TEST IS THIS FRIDAY, OCT. 16., AT 5:00 P.M. NO EXCEPTIONS WILL BE GRANTED. IF ALL THE WORK IS NOT COMPLETED BY 5:00 P.M., YOU WILL RECEIVE ZERO POINTS.
WEEK 10

Obtain your third anonymous exam number for this class. You’ll use this for WA#3.

TUESDAY, OCTOBER 13, 2020 (Class 19)

Topic: Discussion of Writing Assignment #3; Peer Editing

Read: Peer Editing Materials (posted on TWEN)

Due: (1) Printout of Peer Editing Materials (posted on TWEN) for use in class.
      (2) Printout of the paper you will be peer editing. Details forthcoming.

WA3 Timeline: Start charting WA3 cases

THURSDAY, OCTOBER 15, 2020 (Class 20)

Topic: WA#3 Quiz; Common Problems on WA#2; WA#2 Self-Improvement
       In-Class Exercise

Due: (1) WA#3 Case Chart. Post on TWEN by 8:00 AM.
      (2) Bring WA#2 materials to class for an in-class exercise.

WA3 Timeline: By now, you should have charted all cases, identified governing
           rules and subrules, and outlined your entire discussion section
           including arguments, counter-arguments, and rebuttal for WA3

FRIDAY, OCTOBER 16, 2020

Due: Students must have completed all 24 modules of Core Grammar for Lawyers and
      passed the post-test with at least a score of 75 by 5:00 p.m. on this date. No exceptions
      will be granted. If all the work is not completed by 5:00 p.m., you will receive zero
      points.
WEEK 11

TUESDAY, OCTOBER 20, 2020 (Class 21)

Topic: Analysis Revisited: In-Depth CRAC Discussion and CRRPAC Review

Due: Legal Analysis Exercise # 51 on pp. 119-120
Printed copy of In-Class Legal Analysis Exercise for use in class.

WA3 Timeline: By now, you should have begun to draft WA#3.

THURSDAY, OCTOBER 22, 2020 (Class 22)

Topic: Rule Synthesis Revisited

Read: Synthesizing Cases: Rule Synthesis (posted on TWEN)

Due: Exercise V-2 on page 105 of Synthesizing Cases: Rule Synthesis (posted on TWEN). Post on TWEN by 8:00 a.m.

FRIDAY, OCTOBER 23, 2020

Due: Cover letter and resume. Submit to the Office of Career, Professional Development & Diversity Initiatives, following their instructions, by 5:00 p.m.

WEEK 12

TUESDAY, OCTOBER 27, 2020 (Class 23)

Topic: Advanced Citation (Signals, Parentheticals, Quotations)

Read: Bluebook Rule B1.2 (Introductory Signals), Rule B5.1-B5.3 (Quotations)

Due: (1) Bring Bluebook to class.

(2) Printed copy of Citation In-Class Exercises (posted on TWEN) for use in class.

WA3 Timeline: By October 27, you should have a complete rough draft of all WA#3 sections.
THURSDAY, OCTOBER 29, 2020 (Class 24)

Topic: Why Legal Writing Editing Is Important: Editing, Proofreading, and Polishing Review; Targeted Grammar and Writing Mechanics Lesson

Read: Editing and Polishing Checklist for WA#3 (on TWEN)
Supplemental Grammar Materials (on TWEN)

Due: (1) Citation Homework Exercise. Post on TWEN by 8:00 AM.
(2) Printed copy of WA#3 draft for use in class.
(3) Printed copy of Editing and Polishing Checklist for WA#3 (posted on TWEN) for use in class.

WEEK 13

TUESDAY, NOVEMBER 3, 2020 (Class 25)

Topic: Review

LAST DAY OF CLASS

WEDNESDAY, NOVEMBER 4, 2020

WRITING ASSIGNMENT # 3 (Final Exam) DUE ON TWEN BY 8:00 A.M. USE A NEW EXAM NUMBER.

Congratulations, you have almost finished your first semester of law school! Good luck with finals, and I hope you have a great break!