**Introduction to Lawyering Skills: Civil Procedure I**

Fall, 2015

**Professor Dionne Koller**
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**Office Hours:**
Mon. 2:00-3:00 p.m. and by appointment

**Assistant:** Laurie Schnitzer -- lschnitzer@ubalt.edu (office located in 11th floor faculty suite).

**Introduction to Lawyering Skills (“ILS”) Teaching Assistants:** George Makris and Shannon Clancy. They will provide you with contact information and a separate syllabus for their portion of the ILS class.

**Law Scholar:** Joe McCully. He will provide you with contact information and a schedule for his sessions. Note that the law scholar is an additional resource for you but is not a graded or required part of the course.

**Course Meeting Times:**

**Introduction to Lawyering Skills** – Fridays, 9:00-10:15 pm (all students with Professor Koller), Room TBD; Thursdays, 3:30-4:45 pm (George’s section, Room TBD); Wednesday’s 9:00-10:15 am (Shannon’s section, Room TBD).

**Civil Procedure** – Wednesdays and Fridays, 10:30-11:45 pm, Room TBD.

*Note that ALL students will meet on selected Thursdays, as indicated on the syllabus*

**Required Texts:**

**Introduction to Lawyering Skills**
Richard K. Neumann, Jr. et al., *Legal Writing* (3rd ed.)


*The Bluebook: A Uniform System of Citation* (20th ed.)

Linda J. Barris, Understanding and Mastering the Bluebook (2nd Ed. Revised)

*Mastering the Bluebook Interactive Exercises*
Civil Procedure


*You may purchase these books through any seller that you choose. If you do so, understand that you **MUST** have the current version of the Federal Rules of Civil Procedure and relevant statutes. In addition, if you purchase or otherwise access the Federal Rules of Civil Procedure and relevant statutes for electronic use on your computer or other device you **WILL NOT** be permitted to use your computer or an electronic device to access them during the exams.

**Helpful Study Aids***:

Joseph W. Glannon, Civil Procedure: Examples and Explanations

Shreve and Raven-Hansen, Understanding Civil Procedure

Terrill Pollman, Judith Stinson, Elizabeth Stinson, Legal Writing: Examples and Explanations

Terri LeClerq, Guide to Legal Writing Style

* Note that study aids are **NOT** required for this course and you should not feel compelled to buy any. However, if you feel that you need additional assistance, these are the materials I recommend. Use of other outside sources is **AT YOUR OWN RISK**.

**Course Goals**:

Civil Procedure, taught in conjunction with your Introduction to Lawyering course, not only aims to introduce you to the theory and doctrine of civil procedure – how our legal system ensures fairness and efficiency in the conduct of civil litigation – but also seeks to give you an understanding of the processes through which the law develops. Introduction to Lawyering and Civil Procedure will complement one another in a number of ways. In Civil Procedure, we will pay close attention to the lawyering elements of the cases we study, such as understanding the structure of the American court system, the elements and implications of court decisions, the relationships between cases and statutes and between courts and legislatures, and the procedural posture of a civil case. In Introduction to Lawyering, most of the readings and all of the writing assignments will be based on the substantive law of Civil Procedure. The Introduction to Lawyering course thus will use Civil Procedure doctrine to teach legal analysis, reasoning and writing. This process will help deepen your understanding of Civil Procedure.

When you complete this course, you will have begun to develop the following skills: 1) The ability to self-regulate learning; 2) The ability to read cases and other sources of law effectively; 3) The ability to synthesize large quantities of complex material; 4) The ability to accurately and persuasively articulate rules; 5) The ability to apply rules by making effective analogies, by
distinguishing, and by drawing on relevant policy, and 6) The ability to communicate analysis effectively in written form.

**Course Guidelines and Expectations:**

**Attendance** -- Regular class attendance is required and necessary to succeed in the course. Please keep in mind the following with regard to attendance:

- Under ABA rules, students who have more than five absences in either Civil Procedure or Introduction to Lawyering Skills may not be permitted to complete the course in which the absences are recorded.

- Absences due to religious holidays are not included in this policy, but you must let me know in advance if you will miss a class for this reason and an appropriate make-up will be scheduled.

- Attendance will be taken regularly, and your attendance in class is conclusively established by your initials on the attendance sheet. That is, if a student does not initial the attendance sheet during the relevant class period, he or she will be counted as absent.

- A student who is more than 15 minutes late may stay for class but **may not** sign the attendance sheet and be counted as present for that day.

- Under this attendance policy, there are no “excused” or “unexcused” absences. Absences for any reason are treated alike (with the exception of religious holidays) and work cannot be “made up” to make up for a missed class.

- Attendance in your TA section is counted toward your attendance in the Introduction to Lawyering Skills course.

- Late arrivals to class are disruptive and unprofessional. **Persistent late arrivals** to class may be counted as an absence at my discretion and may also be taken into account in the final grading calculation in both Introduction to Lawyering Skills and Civil Procedure.

- **Also note that I reserve the right to factor attendance in to the final grading calculation in both Introduction to Lawyering Skills and Civil Procedure.**

**Computer Use** -- You are permitted to use laptops for note-taking and for exams. However, please note the following restrictions on computer use in class:

- Using a computer in class for activities other than note-taking or class-related internet searches is highly distracting to other students and to me (and it substantially impedes your learning). With this in mind, please be respectful, professional and engaged when using your computer in class.
•If at any time during the semester computer use in the classroom becomes disruptive to our classroom environment I reserve the right to ban the use of the internet or, if necessary, ban laptop use for note-taking (with an exception for students with qualified disabilities).

Assignment Deadlines -- Assignments are due on the day and time of the announced deadline. Late assignments will be penalized or in some cases may not be accepted.

Collaboration -- Collaboration is permitted (and in fact encouraged) in the Civil Procedure component of the course to the extent you are working together outside of class to understand and review doctrine. Collaboration is NOT permitted, except where explicitly noted in the assignment, on ILS projects.

Professionalism – Learning cannot effectively take place in an environment that is unprofessional or uncivil. To that end, I expect that you will observe basic professional courtesies such as arriving on time, respecting different viewpoints, turning off your cell phone, staying off the internet in class, not getting up in the middle of class to leave the room, coming to class prepared to participate, and otherwise observing norms of professional behavior. Multiple failures to behave in a professional manner may be taken into account by me in determining final grades in both Introduction to Lawyering Skills and Civil Procedure.

I welcome you to contact me if something related to our class makes you feel uncomfortable or otherwise interferes with your ability to learn.

TWEN -- Each of you must enroll in the TWEN Virtual Classroom for this course. You will have access to TWEN through Westlaw. A Westlaw identification card and introduction to Westlaw will be provided to you. It is your responsibility to check TWEN for any updated course documents. In addition, you may rely on TWEN for course materials such as updated copies of the syllabus and copies of materials used in class. Unless otherwise noted, you will submit your assignments in hard copy and through the TWEN assignment submission system.

Teaching Assistants – The Introduction to Lawyering Skills class will be taught through the use of Teaching Assistants who are responsible for your understanding of legal research and citation, an important part of legal analysis and writing. The Teaching Assistants may give you feedback on organization, issue and fact statements, brief answers and any other procedural element of your writing projects. The Teaching Assistants may not give you substantive assistance with your assignments.

Federal Rules of Civil Procedure – For all rules referred to in your reading materials, it is expected that you will review them in your Rules supplement in connection with the assigned material, even if they are not separately assigned on the syllabus.

Questions – I strongly encourage, and happily welcome, your questions about any aspect of this course. If I am asked any question that I determine has relevance to students beyond the one who asked it, I will post the question and answer on TWEN. Note, however, that to ensure fairness to all students, I cannot accept any substantive questions less than 24 hours before a paper is due or an exam will be given.
**Class Participation** – It is expected that students will come to class prepared to engage in class discussion. To facilitate discussion, I may call on students at random or ask for volunteers. As explained above, being prepared to participate in class is an important part of professionalism. I reserve the right to use lack of class participation and preparedness to participate in final grading calculations in both Introduction to Lawyering Skills and Civil Procedure. Specifically, students who repeatedly do not participate or are not prepared to participate in class discussion when called on will be marked down.

**Methods of Evaluation:**

Although this is a six credit course, the two components of the course are graded completely separately. Therefore, you will receive a grade for Civil Procedure I (3 credits) and a grade for Introduction to Lawyering Skills (3 credits). The grades will be calculated as follows:

**Civil Procedure** -- The final grade will be based on the following: Mid-term Exam (20%); Final Exam (80%)*.

**Introduction to Lawyering Skills** – Email Assignment #1(5%); Writing Assignment #1 (“Closed Memo”) (25%); Email Assignment #2 (5%); Writing Assignment #2 (“Open Memo”) (50%); Research and Citation (15%)*.

*As explained above, your final course grades in both parts of the course may be lowered based on attendance and other professionalism issues such as persistent late arrivals, lack of preparation for class, excessive internet use in class, etc.

**Important Dates:**

**Memo #1 assigned** – Week of August 31st  
**Email Assignment #1 sent out** — Week of September 7th  
**Memo #1 group conferences** – Week of September 28th  
**Memo #1 due** – October 9th  
**Memo #2 assigned** — October 14th  
**Civil Procedure Mid-Term** – October 16th  
**Email Assignment #2 sent out** — Week of October 26th  
**Memo #2 group conferences** – Week of November 2nd  
**Citation Final Exam** – Week of November 16th  
**Memo #2 due** – Monday, November 23rd

**Civil Procedure Final Exam** – Schedule determined by Dean’s Office.

Please note that these dates are subject to change, but in no case will a project deadline or exam be moved to an earlier date.
**Week of August 17th**

Wednesday (1)–Course Overview and TA Introduction

Due:  *RTL*, Chs. 1 and 2; syllabus for this portion of the course will be distributed in class.

Wednesday (2)–Introduction to Civil Procedure

Due:  Due: *Yeazell* p. 1-4; 12-25.

Friday (1)–Introduction to Legal Analysis

Due:  *Legal Writing*, Ch. 1 and 2.

Friday (2)–Introduction to Civil Procedure

Due:  Due: *Yeazell*, p. 25-41.