

**CIVIL PROCEDURE I  
&  
INTRODUCTION TO LAWYERING SKILLS**

**PRELIMINARY SYLLABUS— FALL 2021  
LAW 612 AND 612A—SECTION 329A  
PROFESSOR ROB KNOWLES**

**COURSE INFORMATION**

**Instructor:** Professor Rob Knowles, [rknowles@ubalt.edu](mailto:rknowles@ubalt.edu)  
Office Hours: Friday, 1-3 p.m. and by appointment (subject to change)

**Administrative Assistant:** Laurie Schnitzer, [lschnitzer@ubalt.edu](mailto:lschnitzer@ubalt.edu)

**ILS Teaching Assistants:** Audreina Blanding, [audreina.blanding@ubalt.edu](mailto:audreina.blanding@ubalt.edu)  
Megan Weaver, [megan.weaver@ubalt.edu](mailto:megan.weaver@ubalt.edu)

**Civil Procedure Law Scholar:** Alicia Pitts, [alicia.pitts@ubalt.edu](mailto:alicia.pitts@ubalt.edu)

**Law Library Liaison:** David Matchen, [dmatchen@ubalt.edu](mailto:dmatchen@ubalt.edu)

**Class Times:** Wednesday & Friday 9:00-11:45 a.m.  
We will also use the Monday, 10:30-11:45 a.m. slot periodically for classes

**MEETING SCHEDULE AND ASSIGNMENTS**

A complete schedule of all meetings and a list of assignments for both courses will be separately posted. In the meantime, below are the first week's assignments, key events, and other information about our meetings:

- Most Wednesdays and Fridays, we will have one continuous in-person meeting from 9:00 a.m. to 11:45 a.m., including breaks. Please come prepared at 9 having completed all assignments for that day.
- Some weeks, we will have an additional class on Monday from 10:30-11:45 a.m. Please review the schedule and make sure these classes are in your calendar. Although we will not use this slot every week, do not schedule other activities for that time.
- The Law School and the University require students to wear a mask in the building. **You must wear a mask at all times during class, even when speaking.** The mask must cover your nose and mouth. This means that, until the requirement is lifted, you may not eat or drink in the classroom. We will take two ten-minute breaks during our Wednesday and Friday sessions for eating, drinking, bathroom use, etc.
- Some meetings may be held remotely via Zoom. I will let you know well in advance so you can plan your schedule accordingly.
- The in-class midterm exam for Civil Procedure I will be administered at 9:00 a.m. Friday, October 8.

- Four training sessions for the two most prominent legal databases, Westlaw and Lexis, will be held Tuesday, August 31 and Thursday, September 2 from 1:30 p.m.-2:45p.m. and 7:45 p.m.-9:00 p.m. All sessions are identical, and you must attend one.
- We will not have class Friday, November 12 or Wednesday, November 24.
- Our last day of class will be Wednesday, December 1.

**Assignments for Wednesday, August 25 and Friday, August 27:**

**Class 1 - Wednesday, August 25:**

Civil Procedure I (9:00-10:15 a.m.):

- Introduction to Civil Procedure
- Yeazell* (see Course Materials below), pp. 1-7 (up to *Hawkins*), 293-300, 332-34 (read text box at the top of the page)
  - As you do the reading, imagine you are a lawyer faced with a potential client. When a potential client walks in the door, (1) what kinds of information do you want to obtain and (2) what kinds of decisions do you need to make?
- Read *Civil Procedure Outline of Topics* (posted on the course Sakai page)
  - These are the topics we'll cover this semester. You may wish to use this document as the starting point for your course outline.

ILS (10:30-11:45 a.m.):

- Introduction, How Attorneys Communicate, Sources and Systems of Law
- A Lawyer Writes* (see Course Materials below), pp. xix-xx (Introduction), 3-14 (Chapter 1), 15-31 (Chapter 2)
  - Chapter 1 explains what an Office Memorandum is. This semester, you will be learning how to write an office memorandum and the many steps it takes to do so successfully.
  - Chapter 2 introduces the sources and systems of law. Where do the various sources of law come from? What is their weight? Does one supersede another? How can you tell?

**Class 2 – Friday, August 27**

Civ Pro I and ILS (9:00-11:45 a.m.)

- Introduction to Civil Procedure: Stating the Case, The Lawyer's Responsibility, and how am I supposed to read in law school?!
- You are about to read your first judicial opinions and rules. To give you insights into how to read statutes, rules, and judicial opinions, start by carefully reading *A Lawyer Writes*, pp. 33-59. Many of the same techniques for statutes apply to the Rules of Civil Procedure. **Take your time with this reading. It is probably the most important reading you will do during your first semester of law school.**
- Now use the approaches laid out in *A Lawyer Writes* to do the reading in the Civil Procedure book.
- Yeazell*, pp. 13-21.
- Read *How to Brief a Civil Procedure Case* (on the Sakai page)

- Brief *Bridges v. Diesel* (p. 14) using the Case Brief Template (on the Sakai page) as a starting point. Submit your *Bridges* brief using Sakai before class begins.

### **Attendance and Etiquette:**

1. Regular and complete attendance is required by the Law School, by the ABA, and for the course.
2. Attendance means (a) for in-person sessions, being present and on time; (b) for remote sessions, entering the Zoom meeting on time and remaining in the meeting until dismissal; and, in either class modality, (c) regularly volunteering to answer questions and responding to questions when called on.
3. The Law School and the University require students to wear a mask in the building. You must wear a mask at all times during class, even when speaking. The mask must cover your nose and mouth. This means that, until the requirement is lifted, you may not eat or drink in the classroom. We will take two ten-minute breaks during our Wednesday and Friday sessions for eating, drinking, bathroom use, etc.
4. For remote meetings, sign into Zoom using your first and last name and your @ubalt email account. If you do not, your attendance may not be recorded.
5. Consider handwriting your notes and put your phone away. Numerous studies show that for the vast majority of students, laptops are distracting, and they actually make you do worse on exams. Phones are even worse. Here's a recent study, FYI:  
[https://www.usnews.com/news/education-news/articles/2018-07-27/study-cellphones-laptops-in-the-classroom-lead-to-lower-test-scores?src=usn\\_fb](https://www.usnews.com/news/education-news/articles/2018-07-27/study-cellphones-laptops-in-the-classroom-lead-to-lower-test-scores?src=usn_fb)
6. For all remote sessions, I strongly encourage you to turn on your camera during class. Seeing your faces helps me to gauge your comprehension. Conversations are better when you can see someone's face. If you have a reason for not using your camera, please let me know.

### **COURSE MATERIALS**

#### **Required Materials You Must Purchase or Rent:**

- STEPHEN C. YEAZELL AND JOANNA C. SCHWARTZ, *CIVIL PROCEDURE* (10TH ED., 2019) (“YEAZELL”) (ISBN: 1454897880)
- STEPHEN C. YEAZELL AND JOANNA C. SCHWARTZ, *FEDERAL RULES OF CIVIL PROCEDURE WITH SELECTED RULES AND STATUTES* (2019) (ISBN: 1543806023)
- CHRISTINE COUGHLIN, JOAN MALMUD ROCKLIN, AND SANDY PATRICK, *A LAWYER WRITES: A PRACTICAL GUIDE TO LEGAL ANALYSIS* (3rd ed.) (ISBN: 1531008763)
- THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (21st ed.)<sup>1</sup> (ISBN: 0578666154) (<https://www.legalbluebook.com/pricing>)

#### **Required Materials Provided for You at No Cost:**

We will also be using additional books and online tools for ILS that will be provided to you by the Law Library at orientation. Do not purchase these independently. The Law Library will also provide you access to Lexis, Bloomberg, Westlaw, and CALI. Email [lawlibref@ubalt.edu](mailto:lawlibref@ubalt.edu) if you have any issues accessing these online sources.

---

<sup>1</sup> Students from previous classes recommend buying the Bluebook rather than renting it.

- AMY E. SLOAN, *RESEARCHING THE LAW: FINDING WHAT YOU NEED WHEN YOU NEED IT* (3D ED.)
- DIONNE E. ANTHON, *THE BLUEBOOK UNCOVERED: A PRACTICAL GUIDE TO MASTERING LEGAL CITATION* (2d ed.) (Download now for free at: <http://dionneanthon.com/bbu/bbu21.html>)

### **Required Online Services:**

- We will frequently use our course **Sakai** site—for announcements, posting and turning in assignments, signing up for conferences with me, etc. During Orientation, you will be instructed about how to sign up for Sakai course sites and how to use the platform more generally.
- You must also sign up for the Library’s Research and Citation Sakai course.
- The Assignment List will include exercises and tests from **Core Grammar for Lawyers**, at [coregrammarforlawyers.com](http://coregrammarforlawyers.com). Sign up using this course code: **321-116-3130**. *Complete the Pretest by 11:00 p.m. Friday, August 27.*
- Having trouble with **Sakai**? Contact UB Sakai and Technical Support, at [ubsakaisupport@ubalt.edu](mailto:ubsakaisupport@ubalt.edu), call toll free at 1.855.501.0856, or the [live chat](#), available 24/7. You will speak with a Sakai Technician who will provide immediate assistance to help resolve your problem or connect you with another staff member who can provide additional support.
- Having **general technology issues**? Contact the Office of Technology Services (OTS), at [callcenter@ubalt.edu](mailto:callcenter@ubalt.edu), or 410.837.6262. The Office of Technology Services (OTS) provides overall technology support to the UB community.

### **Helpful Study Aids (not required):**

- I STRONGLY encourage you to purchase the abridged version of BLACK’S LAW DICTIONARY, available at <https://tmsnrt.rs/2vfgSIN>. This book will help you to understand all of your classes.
- JOSEPH W. GLANNON, *CIVIL PROCEDURE: EXAMPLES AND EXPLANATIONS* (7TH ED.)
- SHREVE AND RAVEN-HANSEN, *UNDERSTANDING CIVIL PROCEDURE* (6TH ED.)
- TERRILL POLLMAN, JUDITH STINSON, ELIZABETH STINSON, *LEGAL WRITING: EXAMPLES AND EXPLANATIONS*
- TERRI LECLERQ, *GUIDE TO LEGAL WRITING STYLE*
- Please note that the library also has free access to several West Academic Study aids, including podcasts, at [law.ubalt.edu/library](http://law.ubalt.edu/library). **Use them! They are free! And good!**

### **Getting Help with Legal Writing**

- (1) The Writing Center can help you. UB Law has a writing center that you can consult if you’re having trouble with the basics, though I’m not sure how the coronavirus lockdown will affect the Writing Center. The website is: [http://law.ubalt.edu/academics/academic-support/legal\\_writing\\_center/](http://law.ubalt.edu/academics/academic-support/legal_writing_center/).
- (2) You **cannot** get help from your parents, friends, paralegals, or anyone else. No collaboration is allowed on your assignments for this course unless Professor Knowles says so explicitly. When in doubt, ask Professor Knowles.
- (3) You **can** talk to me during office hours or by appointment.

- (4) You **can** talk to your teaching assistants, Audreina and Megan. They are here to help you. That said, they will not edit your memos for you.

### **Getting Help with Legal Research**

- (1) The wonderful Reference Librarian for our class, David Matchen, will be checking your progress on the Research Modules and grading them when complete. You can always contact him with questions about the modules or research more generally: [dmatchen@ubalt.edu](mailto:dmatchen@ubalt.edu).  
(2) You **can** always consult with me and the TAs, Megan and Audreina.  
(3) You **cannot** get help from anyone else unless I say so explicitly.

### **GRADES**

You will receive one grade for Civil Procedure and one grade for ILS.

### **Civil Procedure I**

**The Civil Procedure grade** will be based on a midterm exam (20%), a final exam (80%), and professionalism. The midterm and final examinations will test your knowledge of the subjects covered in this course, as well as your critical thinking, legal analysis, and argument skills.

Your professionalism—or lack thereof—may help or hurt your grade by up to one step (e.g., B+ to A-, or B- to C+). Professionalism means being on time and prepared to participate. “On time” means you are logged into the Zoom, paying attention, volunteering to answer questions, and responding promptly when called on. “Prepared” means you have read the work assigned, briefed the relevant cases, carefully analyzed the rules mentioned in the readings, and looked up any words or terms in the readings that you did not understand. This is not like your undergraduate political science class, where you just skimmed the reading and got a general idea of what was going on. You need to read and think about every word, because that’s what lawyers have to do to be successful.

**Law Scholar:** Alicia Pitts is the Law Scholar for Civil Procedure. She will provide you with a schedule for her sessions and is available to help you with Civil Procedure questions. Law Scholar sessions are not graded or required, but you are encouraged to attend them because you will practice the skills you use in class.

### **Introduction to Lawyering Skills**

**The ILS grade** will be determined on the basis of your performance on (1) the three Memorandum Assignments, (2) the research and citation modules, (3) the exercises in Core Grammar for Lawyers, and (4) Professionalism.

#### 1. Memorandum Assignments (70%):

All Memoranda must be turned in by the deadlines specified. Late submissions will not be accepted unless you have a documented emergency.

- Initial version of the Closed Memorandum (10%): **due Sunday October 3, at 11:00 p.m., via the course Sakai page.**

- Revised Closed Memorandum (20%): **due Wednesday, October 27, at 11:00 p.m., via the course Sakai page.**
- Final Open Memorandum (40%): **due Sunday, December 5, at 11:00 p.m., via the course Sakai page.**
- You will also be asked to turn in other assignments periodically. These will count as part of your professionalism grade. They are essential to your success, so do them carefully.

## 2. Research and Citation Modules (25%):

- Module 1 – To be completed by September 9 at 11:00 p.m.
- Module 2 – To be completed by October 27 at 11:00 p.m.
- Module 3 – To be completed by September 17 at 11:00 p.m.
- Module 4 – To be completed by October 15 at 11:00 p.m.
- Module 5 – To be completed by November 8 at 11:00 p.m.

## 3. Core Grammar for Lawyers Exercises (5%):

You will need to register for Grammar for Lawyers, at [coregrammarforlawyers.com](http://coregrammarforlawyers.com). Sign up using our course code: 321-116-3130. You must complete the exercises by the dates listed below. You will not be graded on these exercises, but you must either test out of every lesson or pass each lesson. You are welcome to complete them earlier than the due dates.

- Core Grammar for Lawyers (“CGL”) Pretest: Sunday, August 29 at 11:00 p.m.
- CGL, Exercises A (Sentence Structure) 1-2: Sunday, August 29 at 11:00 p.m.
- CGL, Exercises A (Sentence Structure) 3-4: Sunday, September 5 at 11:00 p.m.
- CGL, Exercises B (Quotations) 1-2: Sunday, September 12 at 11:00 p.m.
- CGL, Exercises B (Quotations) 3-4: Sunday, September 19 at 11:00 p.m.
- CGL, Exercises D (Verbs and Agreement) 1-2: Sunday, September 26 at 11:00 p.m.
- CGL, Exercises D (Verbs and Agreement) 3-4: Sunday, October 10 at 11:00 p.m.
- CGL, Exercises C (Organizing Complex Ideas) 1-2: Sunday, October 17 at 11:00 p.m.
- CGL, Exercises C (Organizing Complex Ideas) 3-4: Sunday, October 31 at 11:00 p.m.

4. Professionalism: Your professionalism grade may help or hurt your grade by up to one step (e.g., B+ to A-, or B- to C+). It applies equally to sessions run by any of the instructors: Professor Knowles, Megan Weaver, and Audreina Blanding.

## **ABOUT THESE COURSES**

### **Course Description:**

These courses integrate rigorous instruction in legal analysis, research, and writing with the substantive law of civil procedure to give beginning law students an opportunity to combine skills and doctrine as practicing lawyers do. They focus on the process and procedures of a civil lawsuit, from filing a complaint through final appeal. They introduce the structure and operation of the state and federal court systems in the United States, concentrating on federal courts. Topics include pleadings, pre-trial motions, the discovery process, jury trial, judgments and relief, post-judgment motions, and appeals. Students will learn civil procedure through statutory

interpretation, case analysis and rule synthesis, and legal research and writing projects. Legal analysis, research, and writing skills will be developed through coursework that includes critical case reading, analysis and briefing; common law principles and processes; factual analogy and distinction; rule synthesis and application; objective/predictive writing (office memo); case law and statutory research; citation; and professional norms.

### **Course Objectives and Learning Outcomes:**

1. Accurately identify, explain and apply Civil Procedure rules;
2. Read and analyze cases and other sources of law by identifying the rule, holding, and determinative facts of cases;
3. Identify the elements of a rule and apply rules to facts;
4. Research and properly cite legal authorities, such as cases, statutes and secondary sources,
5. Write predictive memoranda on legal issues, taking into account the weight and value of different authority; and
6. Build legal writing and grammar skills.

### **OTHER LAW SCHOOL POLICIES AND RESOURCES**

**Attendance:** Attend all class meetings! It's required, and it helps you learn. A student who exceeds three absences from our two-block (Wednesday & Friday) meetings may be compelled to withdraw, or may be barred from sitting for the final exam. Students who are forced to withdraw for exceeding the allowed absences may receive a grade of FA (failure due to excessive absence). This is an American Bar Association (ABA) Standard for Law Schools.

**Recordings of Class Meetings:** All class recordings are for the sole use of the class and may not be reproduced by students for any other purpose. Faculty cannot reproduce students' voices or images from the class for any other purpose without additional student consent. All such recordings are protected by a UB login process based on where they are posted. Students may mute their microphone or turn off their camera if they do not consent to be recorded, but this may mean they need to find additional ways to participate in the class discussion. Students may be required to turn on their cameras and participate in graded class activities. In addition, students who turn off their camera and do not remain present for the class session may be subject to the Honor Code for misrepresenting attendance.

**Class Cancellation:** If a class meeting is cancelled, you will receive an email letting you know.

**Academic Integrity:** Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University or the School of Law. Violations of academic integrity include, but are not limited to, the following: cheating; plagiarism; misuse of library materials; use of another's book or study materials without consent; unapproved multiple submissions; material misrepresentation of one's academic history or standing; misrepresentation of any academic matter; intentionally giving another student false or inaccurate information about class requirements; inappropriate discussion of exams; and misrepresenting or falsifying class attendance reports. The School of Law Honor Code and information about the process is available at [https://law.ubalt.edu/academics/policiesandprocedures/honor\\_code/index.cfm](https://law.ubalt.edu/academics/policiesandprocedures/honor_code/index.cfm).

**Amount of Work per Credit Hour:** ABA Standards establish guidelines for the amount of work students should expect to complete for each credit earned. Students should expect approximately one hour of classroom instruction and two hours of out-of-class work per week for each credit earned in a class. ILS and Civ Pro are three credits each, for a total of six credits. That's at least twelve hours of work per week for this course beyond the time allocated for class meetings.

**Course Evaluations:** It is a requirement of this course that students complete a course evaluation. The evaluation will be available later in the semester and is entirely anonymous. Faculty members will not have access to the feedback provided on course evaluations until after all grades are submitted.

**Title IX Sexual Harassment and Sexual Misconduct Policy:** The University of Baltimore's Sexual Misconduct and Nondiscrimination policy is compliant with Federal laws prohibiting discrimination. Title IX requires that faculty, student employees and staff members report to the university any known, learned, or rumored incidents of sex discrimination, including sexual harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence or sexual exploitation and/or related experiences or incidents. Policies and procedures related to Title IX and UB's nondiscrimination policies can be found at: <http://www.ubalt.edu/titleix>.

**Disability Policy:** If you are a student with a documented disability who requires an accommodation for academic programs, exams, or access to the University's facilities, please contact Ms. Keri Hickey, Director of Student Support in the Law School's Office of Academic Affairs, at [khickey@ubalt.edu](mailto:khickey@ubalt.edu) or the University's Office of Disability and Access Services at [das@ubalt.edu](mailto:das@ubalt.edu).