**University of Baltimore School of Law**

**Post – J.D. Family law Certificate Program**

**Spring Semester 2018**

**Course**: **Craft Problem-Solving Family**

LAWF 900.491

**Instructor**: Joan F. Little

Email address – TBA

443.257.5002

Individual Consultations are available on request by student.

**Days/Time:** Wednesdays/6:15 p.m. – 9:00 p.m.

35 contact hours – 14 classes

**Location:**  Check the Law School class schedule for the room assignment.

**Course Description**:

See Course descriptions appear on the University of Baltimore, Law School’s web site.

**Course Materials:**

Alex J. Hurder, Frank S. Bloch, Susan L. Brooks, and Susan L. Kay, *Clinical Anthology – Readings for Live-Client Clinics* (2nd edition), ISBN: 0-87084-352-4

Keith Evans, *Common Sense Rules of Advocacy,* ISBN: 978-1-58733-185-5

**Assignments:**

All class assignments are listed in the syllabus and supplemented by materials on the course “TWEN” site. Students should check site regularly for updates.

**Student Learning Outcomes:**

* Learn to recognize advocacy opportunities for problem-solving in a diverse set of forums.
* Choose effective advocacy strategies for problem-solving.
* Actively explore efficacy of various advocacy strategies through exercises in class.
* Engage in analytical class discussions of advocacy strategies through exercises in class.
* Reflect on personal problem-solving strengths and weaknesses and advocacy strategies that enhance the student’s natural ability.

**Grades:**

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| --- | --- |
| Class Exercises | 30% |
| Class preparation and participation | 10% |
| Final Class Excersise/Semester Project | 60% |

**Course Expectations:**

American Bar Association Accreditation 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 for each credit earned in a class, or an equivalent amount of work for other academic activities, such as simulations, externships, clinical supervision, co-curricular activities, and other academic work leading to the award of credit hours.

Since this is an advocacy class, students are expected to complete all reading assignments and to consistently participate in class discussion in order to demonstrate that the student has read and reflected on the issues raised in the assignment.

**Attendance**:

Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor. A student who exceeds the maximum allowed absences (generally 20% of class sessions) as illustrated below may be compelled to withdraw from the course, 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 policy is consistent with American Bar Association Standards for Law Schools.

Note: Attendance in class is crucial, as this class will regularly include in-class exercises and discussion that require student participation. Attendance will be taking at the beginning of every class. Failure to participate in class exercises due to unexcused absenteeism will result in a lowering of a student’s grade.

|  |
| --- |
| Regular Semester Hours |
| Credit Hours | Meetings Per Week |
|  | 1 | 2 |
| 2 | 2 absences | 5 absences |
| 3 | 2 absences | 5 absences |
| 4 | -- | 5 absences |

**Course Web Site:**

This course has a “TWEN” page through Westlaw. This page includes the syllabus and updates of the syllabus, required supplemental readings, and other materials.

**Computers:**

Students may use laptop computers for class related purposes.

**Class Cancellation:**

If the instructor must cancel a class, notices will be sent to students via email and posted on the classroom door. If there is inclement weather, students should visit the University of Baltimore web site or call the University's Snow Closing Line at (410) 837-4201. If the University is open, students should presume that classes are running on the normal schedule.

**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 and/or the School of Law. Violations of academic integrity include, but are not limited to: 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. [Reference to School of Law Honor Code, https://law.ubalt.edu/academics/policiesandprocedures/honor\_code/index.cfm]

**Title IX Sexual Harassment and Sexual Misconduct Policy:**

The University of Baltimore’s Sexual Harassment and Sexual Misconduct policies are 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 academic accommodation, please contact Leslie Metzger, Director of Student Services at 410-837-5623 or via email at lmetzger@ubalt.edu.

**Craft Problem-Solving Family**

Class Schedule and Assignments

***Advocacy Opportunities in Client Representation***

**January 17, 2018: Introduction and Holistic approach for entire family**

“Advocating for My Client” (“AMC Project”) Semester Project - due on last day of class

**January 24, 2018: The lawyer client relationship**

Reading: *Common Sense Rules of Advocacy* – pages 1-28, 147 - 153

 *Clinical Anthology* –

* “Shooting Elephants, Serving Clients: An Essay on George Orwell and the Lawyer-Client Relationship” by Joseph Allegretti
* “Legal Fictions: Clinical Experiences, Lace Collars and Boundless Stories”, Nancy Cook
* “Client-Centered Counseling: Reappraisal and Refinement”, Robert Dinerstein
* “Negotiating the Lawyer-Client Relationship: A Search for Equality and Collaboration”, Alex J. Hurder
* “Translation as a Mode of Thought”, James B. White

Class Exercise– posted on Twen

**January 31, 2018:** **Story telling**

Reading: *Common Sense Rules of Advocacy* – pages 29-41

 *Clinical Anthology* –

* “Subordination, Rhetorical Survival Skills, and Sunday Shoes: Notes on the Hearing of Ms. G.”, Lucie White
* “Storytelling for Oppositionists and Others: A pleas for Narrative”, Richard Delgado
* “A Theory-Practice Spiral: The Ethics of Feminism and Clinical Education”, Phyllis Goldfarb
* “Telling Stories and Stories About them”, Anthony G. Amsterdam

Class Exercise– posted on Twen

***Advocacy Opportunities in Negotiation and Litigation***

**February 7, 2018:** **Strategies and tactics in negotiation and litigation**

Reading: *Common Sense Rules of Advocacy* – pages 47 - 68

 *Clinical Anthology* –

* “Getting to Yes, Negotiating Agreements Without Giving In”, Roger Fisher, William Ury, and Bruce Patton
* “Toward Another View of legal Negotiation: The Structure of Problem Solving”, Carrie Menkel-Meadow
* “Legal Representation and the Next Steps Toward Client Control: Attorney Malpractice and the Failure to Allow Litigation”, Robert F. Cochran

Class Exercise– posted on Twen

**February 14, 2018: Specialized skills and tools unique to the field of Family Law**

Reading: *Clinical Anthology* –

* “Lawyers and Legal Consciousness: Law Talk in the Divorce Lawyer’s Office”, Austin Sarat and William L.Fl Felstiner

See TWEN: Family Law Readings

Guidelines for the Representation of Children in Family Law

Class Exercise– posted on Twen

**February 21, 2018: Specialized skills and tools unique to the field of Family Law**

Reading: See TWEN: Family Law Readings

Class Exercise– posted on Twen

**February 28, 2018: Specialized skills and tools unique to the field of Juvenile Law**

Reading: See TWEN: Juvenile Law Readings

Guidelines for the Representation of Children in Juvenile Law

Guidelines for Representing Parents

Class Exercise– posted on Twen

***Advocacy Opportunities in Speaking and Writing***

**March 7, 2018: Writing strategies**

Reading: *Common Sense Rules of Advocacy* – pages 123 - 142

 See TWEN:

Class Exercise– posted on Twen

**March 14, 2018: Writing strategies**

Reading: See TWEN:

Class Exercise– posted on Twen

**March 28, 2018: Speaking strategies**

Reading:*Common Sense Rules of Advocacy* – pages 42 – 46, 69 – 82

 *Clinical Anthology* –

* “A Tale of Two Clients: Thinking About Law As Language”, Clark D. Cunningham
* “Speaking Truth to Power: The Language of Client Rights Litigators”, Herbert Eastman

See TWEN:

Class Exercise– posted on Twen

***Advocacy Opportunities in Court Proceedings***

**April 4, 2018: Preparation for Court and Advocacy in Court**

Reading:*Common Sense Rules of Advocacy* – pages 83 - 122

See TWEN:

Class Exercise– posted on Twen

**April 11, 2018: Appellate Practice**

Reading:

See TWEN:

Class Exercise– posted on Twen

***Advocacy Opportunities in Legislative Advocacy, and Other Forums***

**April 18, 2018: Alternatives to court: legislative, mediation, and other forums**

Reading: *Clinical Anthology* –

* “Preliminary Reflections on the Establishment of a Mediation Clinic”, James H. Stark
* “Diversity Issues in Mediation: Controlling Negative Cultural Myths”, Isabelle R. Gunning
* “The Art of Family Mediation”, Donald T. Saposnek

See TWEN:

Class Exercise– posted on Twen

**April 25, 2018:** **AMC Semester Project**

Final presentations by students with observation and critique