

**UNIVERSITY OF BALTIMORE SCHOOL OF LAW
INTERVIEWING, NEGOTIATION, AND COUNSELING
(LAW 813/511)
SYLLABUS - SPRING 2020**

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The Basics

Class Meeting Times

Class meets on most Mondays from 6:15 to 9:00 p.m. There will be a fifteen-minute break during each class meeting.

Course Website

This course has a TWEN page that links to this syllabus, class announcements, class assignments, and other class materials. You are responsible for enrolling on the TWEN page and for checking it regularly for course information.

Office Hours

My office hours are from 5:00 to 6:00 on Wednesdays and Thursdays. If you would like to meet during another time, please contact me to make arrangements.

Grading

Final grades will be determined as follows:

- Regular class attendance and participation: 20%
- Major Client Counseling Session (including preparation memorandum and self-assessment): 30%
- Major Client Interview: 25%
- Major Negotiation Session (including preparation memorandum): 25%

What You'll Learn



Course Description

This course focuses on the theory and techniques of interviewing, counseling, and negotiation that are necessary for effective representation of clients. Such topics as question formulation, client interviewing, structuring the counseling session, case evaluation, development of bargaining range and negotiation tactics will be covered. The teaching medium will be simulation. Students will act as attorneys weekly in mock cases and critique the videotaped performances.

Student Learning Outcomes

By the end of the semester, students will be able to:

- Conduct an initial interview that demonstrates that the student can:
 - Prepare for the interview;
 - Build rapport and trust with the client;
 - Inform the client
- Conduct a counseling session that demonstrates that the student can:
 - Prepare for the counseling session;
 - Continue a relationship
- concerning confidentiality and fees;
- Successfully engage in active listening;
- Ask questions that result in understanding fully the facts of the client's matter and the client's goals;
- Assess the client's legal position as far as possible and communicate that to the client;
- Adjourn the interview in a manner that instills confidence in the client, even if the student is not certain about the client's legal position; and
- Plan for next steps after the conclusion of the interview;

- of trust with the client;
 - Based on the facts of a client's matter, identify options about how to proceed that take into account the legal, financial, and social consequences for the client;
 - Assess the client's goals and values to assist him or her in deciding among the options presented; and
 - Respond to the client's questions and concerns while ensuring that the client makes the final decision; and
- Engage in a negotiation session that demonstrates that the student:
 - Can prepare for the negotiation by determining the client's and the opposing party's interests as well as the client's goals;
 - Can create a concession plan;
 - Knows what matters may be discussed in a negotiation and which are confidential;
 - Knows the ethical rules of lawyer negotiation; and
 - Knows and can deploy both a competitive and a cooperative negotiating style.



"I assure you that everything you say to me will be held in the strictest confidence."

Class Rules

Attendance

All students are expected to attend class, be on time, and come prepared. Since this is a skills course, not attending class or not being ready when class starts may significantly interrupt the flow of the session. If there are times when you know that you will not be able to attend class in advance, inform Professor Neal as soon as possible. A student who exceeds two absences may be compelled to withdraw from the course. 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.



Course Work Expectations

American Bar Association Standards for Law Schools 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 to spend two hours of out-of-class work each week 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.

Laptop Policy

Laptop use is not permitted while class is in session. Any notes must be taken without use of a laptop. Any materials needed for class must be printed; you will not be allowed to access them using a laptop, tablet, or smartphone.

Class Cancellations

If Professor Neal must cancel a class session, students will be notified via email and a notice will be 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.

Class Meeting Topics*

Date	Topics
January 13	Course Introduction Overview of the Counseling Process and Decision-Making Models
January 27	The Initial Client Meeting
February 3	Interviewing Your Client
February 10	Lawyers, Clients, and Psychological Type Theory
Week of February 17	Graded Interviews



February 24	Decision-Making and Implementing the Decision
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*The syllabus may have slight modifications during the semester. Calendar assignments supercede those on this syllabus.

March 2	Ethical Considerations in Counseling
March 9	Dealing With Client-Lawyer Difference
March 23	In-Class Client Counseling Exercises
March 30 - April 3	Graded Client Counseling Exercises
April 6	Introduction and Academic Approaches to Negotiation
	Negotiating Models, Strategies, and Styles
April 13	Preparing for Negotiation
	Negotiating Face to Face
April 20	Negotiating Tactics and Strategies
	Valuing Cases for Negotiation and Settlement
April 27	Ethical Considerations in Negotiation and Settlement
	Negotiating in Writing and Over the Telephone
April 28 - May 13	Graded Negotiation Exercises



Final Bits

University and Law School Rules

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 School of Law. Violations of academic integrity include, but are not limited to: cheating, plagiarism, misuse of materials, inappropriate communication about exams, use of unauthorized materials and technology, misrepresentation of any academic matter, including attendance, and impeding the Honor Code process. The School of Law Honor Code and information about the process is available at http://law.ubalt.edu/academics/policiesandprocedures/honor_code/.



Title IX Sexual Misconduct and Non-Discrimination 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. If you or someone you know has been harassed or assaulted,

Disability Policy

If you are a student with a documented disability who requires an academic accommodation, please contact please contact Karyn Schulz, Director, Center of Educational Access, Office of Disability and Access Services, at 410-837-4141 or kschulz@ubalt.edu.

you can receive confidential counseling support through the INOVA Student Assistance Program (844-523-3363; www.inova.org/studentassist - Username: UBSA - Password: UBSA). Alleged violations can be reported non-confidentially to the UB Title IX Coordinator, Anita Harewood, Vice President, Office of Government and Public Affairs, Academic Center, Room 114 (410-837-4533); to the Office of Community Life, Academic Center, Room 112 (410-837-4755); to the Office of Human Resources, Charles Royal Building, Third Floor (410-837-5410) or to any of the above using email address T9@ubalt.edu. Reports to law enforcement can be made to

Baltimore City Police or to UB's Police Department (410-837-4444 for emergencies; 410-837-5529 for non-emergencies). I will seek to keep information you share with me private to the greatest extent possible, but as a professor I have reporting responsibilities which require that I share information regarding sexual misconduct and crimes I learn about to help make our campus a safer place for all. Policies and procedures related to Title IX and UB's nondiscrimination policies can be found at: <http://www.ubalt.edu/policies/administrative/II-7.1.pdf> .