

INTRODUCTION TO LAWYERING SKILLS (ILS) - CRIMINAL LAW COURSE INFORMATION AND SYLLABUS

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Class Meeting Times (Meet via Zoom)

Mon: 1:30-2:45pm. ALS 102
Tue, Thu: 9:00-11:45am. ALS 102

Law Scholar Meeting Time

TBA

Virtual Office Hours: *Mondays 11am-noon; Thursdays noon-1pm*

Office Hours Zoom Link: <https://ubalt.zoom.us/j/colinstarger> [no password]

Also, I am also happy to make appointments via email to chat at other times.

Key Links

Our Class TWEN page: <https://tinyurl.com/yybj2z2r>

ILS Research TWEN page: <https://tinyurl.com/yyc96mka>

Professor Starger Class Zoom link: <https://ubalt.zoom.us/j/91345037834> [password required]

Mimi Ezzaki (TA) Class Zoom link: <https://ubalt.zoom.us/j/96551920224> [password required]

Panopto Folder link: <https://tinyurl.com/y4e6j23x>

Westlaw Bookshelf (for Crim Law text): <https://eproducts.westacademic.com/MyBookshelf>

Required Texts

- *Criminal Law: Cases and Materials* (8th ed., 2019). *Note: Please make sure you purchase the online access for this book.* [Instructions below]
- Christine Coughlin, Joan Malmud Rocklin & Sandy Patrick, *A Lawyer Writes: A Practical Guide to Legal Analysis* (3rd ed. 2018)
- *The Bluebook: A Uniform System of Citation* (21st ed. 2020)

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 if you have any issues accessing these online sources.

- Amy E. Sloan, *Researching the Law: Finding What You Need When You Need It* (3d. ed.)
- Dionne Anthon, *The Bluebook Uncovered: A Practical Guide to Mastering Legal Citation* (2020)

Required Online Services

- You will receive an email from the library with a code for registering for Core Grammar for Lawyers, at coregrammarforlawyers.com.
- Much of our course will unfold on TWEN, a learning management website. TWEN will contain handouts, links to lectures on Panopto (both pre-recorded and recordings of in-class lectures), and much more. In addition, I will email you through the TWEN site. Please be sure to sign up.

Getting Help

- (1) You are lucky to have two students who excelled in my course last year to help you navigate both ILS and Criminal Law. Mimi is your ILS TA. Andrew is your Criminal Law Scholar. They are there to help. They have a great deal of insight and experience. In addition to answering general questions about the course and 1L life, they can also serve as a conduit for concerns about the course. If need be, you can speak to them confidentially and they can relay concerns anonymously.
- (2) I am always available to answer questions or just to talk. I will usually stay after class is completed. I have office hours. And I will make appointments.
- (3) The Writing Center can help you. UB Law has a writing center that you can consult if you're having trouble with the basics. The website is: http://law.ubalt.edu/academics/academic-support/legal_writing_center/.
- (4) In general, you should engage with your fellow students and talk to whomever you choose as you study for this course. However, when it comes to written assignments and exams, you **cannot** get help from your parents, friends, paralegals, or anyone else. No collaboration is allowed on your assignments for this course unless Professor Starger says so explicitly. In case of doubt, ask Professor Starger.

GOALS

Introduction to Lawyering Skills (“ILS”) and Criminal Law (“Crim”) are two separate yet integrated courses. Students will receive separate grades for each course and each course covers different materials. The goals of ILS are to introduce you to foundational categories in legal analysis and argument as well as to provide you with a practical grounding in legal research, writing, and citation. The goals of Crim are to introduce you to: (a) the building-block ideas and vocabulary of criminal law; (b) the modes of criminal law argument practiced by prosecutors, defense attorneys, and judges; and (c) the debates that affect the criminal law's development and change.

While distinct, the two components of the course are nonetheless intimately related in that they both seek to provide you with the basic concepts and skills necessary to succeed in law school and as a lawyer. As a whole, this course aims to teach you to the “fundamentals” in the theory and practice of law. Since law is a *profession* as well as a *practice*, learning the fundamentals necessarily includes an introduction professionalism including your ethical obligations towards your clients and towards the profession.

LEARNING OUTCOMES

Students who have successfully completed the ILS course will be able to: 1) effectively read cases, statutes, rules and other sources of law and explain the propositions of law these sources stand for in a given context; 2) construct “objective” and “persuasive” legal arguments supported by relevant authority; 3) find relevant legal authority through legal research; 4) write legal memoranda in proper form; 5) self-regulate your own learning of the law; and 6) manage workload and deadlines in a professional manner.

Students who have successfully completed the Crim course will be able to: 1) Explain core criminal law concepts including legality, actus reus, mens rea, causality, defenses, attempt, accomplice liability, and vicarious liability; 2) Identify the elements of various crimes as set out in cases and statutes; 3) Apply criminal law doctrine to new factual scenarios in the mode of a prosecutor, defense attorney, and/or judge; and 3) Participate in criminal law debates in an informed manner.

METHODS OF EVALUATION

The final grade in ILS will be based on: Closed Memo Polished Draft (20%); Closed Memo Revision (20%); Open Memo Professional Email (10%); Open Memo (35%); Bluebook, Research and Core Grammar for Lawyers Exercises (15%).

The final grade in Crim will be based on: Participation (8%); Midterm (22%); Final (70%).

Please note that grading in ILS and Criminal Law are subject to a mandatory curve. This curve is explained in the student handbook:

All first year courses and Civil Procedure II are subject to the following grading guidelines: Each faculty member teaching a section of any first year course shall have an average grade for the section taught by that faculty member, i.e., the arithmetic average of all of the grades assigned to students in the section, that is no lower than 2.67 and is no higher than 3.00. Grades shall be distributed within the required first year courses as follows: between 15-25% shall be grades of A or higher and between 7-14% shall be grades of C- or below, except that, in each section of Introduction to Lawyering Skills the 7-14% range of grades of C- or lower is recommended but not required.

MAJOR DEADLINES+ IMPORTANT DATES

Please find a list of major deadlines and important dates below. You should put them in your calendar and make sure you leave plenty of time to do them. Note that there will be a number of smaller assignments that are not included in this summary. Please consult the syllabus for your weekly assignments.

Criminal Law

- Midterm Exam – Thursday, October 8
- Final – TBA

ILS

Memo Assignments

- Closed Memo Polished Draft – Due Sunday October 4, 5pm.
- Closed Memo Re-Write – Due Sunday, October 18, 5pm
- Professional Email (Open Memo) – Due Sunday, November 15, 5pm
- Open Memo Final – Due Wednesday, December 2, 5pm

Research and Citation Modules

- Civics Module – To be completed **before** our first class on Monday, August 24, 2020 [~70 minutes]
- Module 1 – Due Wed. September 16, 2020, 5pm [~580 minutes]
- Module 2 – Due Wed. October 14, 2020, 5pm [~525 minutes]
- Module 3 – Due Wed. October 21, 2020, 5pm [~190 minutes]
- Module 4 – Due Wed. November 4, 2020, 5pm [~550 minutes]

Core Grammar for Lawyers Exercises

You will not be graded on these exercises, but you must *either test out of every lesson or pass* each lesson by the deadlines specified below. You are welcome to complete them earlier than the due dates.

- Core Grammar for Lawyers Pretest: Sunday, August 23 at 11:00 pm
- CGL, Exercises A (Sentence Structure) 1-2: Sunday, August 30, at 11 pm
- CGL, Exercises A (Sentence Structure) 3-4: Sunday, September 6 at 11 pm
- CGL, Exercises B (Quotations) 1-2: Sunday, September 13, at 11 pm
- CGL, Exercises B (Quotations) 3-4: Sunday, September 20, at 11 pm
- CGL, Exercises D (Verbs and Agreement) 1-2: Sunday, September 27, at 11 pm
- CGL, Exercises D (Verbs and Agreement) 3-4: Sunday, October 11, at 11 pm
- CGL, Exercises C (Organizing Complex Ideas) 1-2: Sunday, October 18, at 11 pm
- CGL, Exercises C (Organizing Complex Ideas) 3-4: Sunday, November 1, at 11 pm

SYLLABUS

Please find below the topics and reading assignments for the semester. Please note that **DR** refers to “Dressler” (aka the crim course textbook), **MPC** refers to the Model Penal Code (available via TWEN and in Dressler). **LW** refers to “A Lawyer Writes” (our ILS textbook) **BB** refers to the Bluebook, **PO** refers to a recorded lecture on our Panopto page, and **HO** indicates a Handout will be made available on TWEN. **This syllabus is an evolving document. For version 1.0, you only have the first two weeks. Please make sure you have the latest version (see footer).**

	TOPIC	READING
WEEK 1		
M 8/24 – ILS 1	Introduction + Icebreakers	First Day Assignment
Tu 8/25 – Crim 1	MPC Presumption of Innocence <i>Owens</i>	PO: Crim Lecture 1 DR: 1-18 HO: MPC Wikipedia, MPC 1.02, 1.04
Tu 8/25 – ILS 2	Hierarchy + Authority MPC + Common Law	LW: Ch 2 (15-31) HO: MD Crim Law - Assault in the Second Degree HO: MPJI –Second Degree Assault
Th 8/27 – Crim 2	Jury Nullification <i>Ragland</i>	DR: 19-29 MPC: 1.12
Th 8/27 – TA 1	Case Brief Workshop (<i>Owens+Ragland</i>)	HO: How to Read a Legal Case HO: How to Brief a Crim Case <u>Case Brief Assignment Due</u>
WEEK 2		
M 8/31 – ILS 3	Reading Statutes In class elements assignment	LW: Ch 3.1 (35-43) HO: MD Crim TOC MPC TOC; MPC 1.13 definitions HO: MPJI TOC
Tu 9/1 – Crim 3	Theories Punishment <i>Stephens, Du, Gementera</i>	PO: Crim Lecture 3 DR: 31-35; 51-70
Tu 9/1 – ILS 4	Intro Legal Citation + Citing Authority Propositional Logic (Rule)	BB – Blue pages BB1-11 LW: Ch 3.2 (45-59)
Th 9/3 – TA 2	- First TA session	<i>Be prepared to discuss ILS Research Module 1.a</i>
Th 9/3 – Crim 4	Legality <i>Mochan, Keeler, Banks, Muscarello</i>	DR: 91-110; 121-27 MPC 1.05

CLASS POLICIES

1. **Attendance** – Regular class attendance is mandatory. A student who exceeds five absences (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 that under this policy, there are no “excused” or “unexcused” absences (with the exception for religious holidays).

Attendance will be “taken” by Zoom, which automatically records presence and duration.

However, for this automated system to work properly, you must use your ubalt email and make sure your Zoom account is configured with your real name. Please make sure you log on promptly – ideally 5 minutes before class begins. Of course, I understand technical issues may arise from time to time. With that said, I reserve the right to count as “absent” a student who logs on late repeatedly or without a valid explanation.

2. **TWEN** -- Please enroll in the TWEN site for this course, which is available through Westlaw. The TWEN site will host a lot of important information and links. Please check the site regularly.
3. **Zoom and Panopto:** Instruction this semester will be provided through a combination of live Zoom sessions and prerecorded material posted on Panopto. For some of our classes, you will view a Panopto recording, complete an assignment to assess your understanding of the material, and participate in a live Zoom session to discuss the material. The link for our Zoom sessions will remain the same throughout the semester.

Expectations for participation in live Zoom classes are as follows:

- Access Zoom using your ubalt credentials.
- Turn your camera **ON** unless you notify me in advance that you plan to mute your video. It’s much easier for you to participate in the class if we can see each other, so I strongly encourage everyone to stay visible. You may use a virtual background as long as it does not contain images or words that could be distracting to others in the class.
- Use your first and last name as your screen name. Your first name should be the one you want the class to use (e.g., if your name is “Elizabeth Jones” but you prefer to be called “Liz,” use “Liz Jones” as your screen name).
- Dress and present yourself the way you would if you were attending class in person. Casual is fine. Pajamas are not.
- If possible, use a headset so that you can hear and be heard clearly during the class.
- Situate yourself in a place where you can focus without distractions, preferably at a desk or table in a quiet room.
- Avoid consuming food during class. Drinks are permitted.
- Silence your phone and place it out of reach.
- Use the chat feature in a professional manner for class-related comments only. Private chats are not permitted, and chats are recorded along with the rest of the session.

- Attending class online presents challenges that don't exist in a face-to-face class, and interruptions will inevitably occur from time to time. But you are expected to be focused on the class for the entire session and not attending to text messages, Facebook alerts, pets, FedEx deliveries, coffee refills, or other non-class-related matters (see attendance policy above).

Please also note the following information from the University regarding recording Zoom sessions:

*Faculty are required to record Zoom classes for the purposes of accommodating a disability, for students who cannot attend or so students who wish to review may have access to the full class content. All 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 microphones or turn off their cameras if they do not consent to be recorded, but this may mean they need to find additional ways to participate in the class discussion. **In addition, students who turn off their cameras and do not remain present for the class session may be subject to the Honor Code for misrepresenting attendance.***

4. **Preparation** – This class relies on everyone being fully prepared to participate in the day's discussion. At the most basic level, this means completing the assigned reading and/or videos. **Please note that I actually expect that you will read much of the material – especially the assigned cases – at least twice.** This is because learning to read and understand cases and statutes is hard and takes work. Repetition is key. Often, you will still have lingering confusion even after reading a case two or three times. During Socratic questioning, I am happy to work with students who are struggling to understand. However, I have less patience for students who are unprepared.
5. **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 and turning off your cell phone. **Given our subject matter, it is my hope that we can have lively class debates where all students feel comfortable participating and expressing their opinions.** Respect for your colleagues is vital to fostering a healthy debate environment. At all times, remain mindful of the diversity of perspectives and experiences in our classroom and be respectful as you articulate your arguments. We need not agree on everything, but we do need to disagree professionally.

Note: Please contact me or your ILS TA or your Crim law scholar if something related to our class debates or discussions makes you feel uncomfortable or otherwise interferes with your ability to learn. You may speak confidentially with me or confidentially/anonymously with your TA or law scholar. I will make every effort to address any issues raised.

6. **Class Cancellation-** If I must cancel a live class, notices will be sent to students via email.
7. **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/
8. **Title IX Sexual Misconduct and Nondiscrimination 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> .
9. **Disability Policy-** If you are a student with a documented disability who requires an academic accommodation, please contact Keri Hickey, Director of Student Support at khickey@ubalt.edu.
10. **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.

11. Access to the Dressler CasebookPlus

We will use the Electronic Casebook to administer quizzes. It is also a useful source for reference material. To access, do the following:

- Go to eproducts.westacademic.com
- Sign in or create an account.
- Click to open Cases and Materials on Criminal Law from your bookshelf.
- Click the Enroll in a Course button and enter this course code: **CRSE-2QGN-YAR9-7WXC-UFGE**

If you don't see a picture of Cases and Materials on Criminal Law on your bookshelf when you log on to eproducts.westacademic.com, perform either of the following:

- Click the Redeem Code button on the My Bookshelf page and enter the code that came with the casebook. Next, redeem your code.
- If you did not purchase a new book with a code, you can go to store.westacademic.com and purchase either the eBook/Learning Library or the Learning Library option for your casebook.