

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

LAW 612 & 612A-Section 319

Fall, 2023

Professor Dionne Koller\*

\*The university in some communications uses my married name, “Fine,” instead of my preferred professional name, Koller. I apologize for the confusion!

### **Contact Information & Office Hours:**

Email: [dkoller@ubalt.edu](mailto:dkoller@ubalt.edu)

Office: Room 510

Office Hours: Mondays, 5-6 pm; by appointment; and any time you wish to drop by my office if I am free!

Assistant: Deb Pinkham (Room 502); [Deborah.pinkham@ubalt.edu](mailto:Deborah.pinkham@ubalt.edu)

Canvas page: <https://ubalt.instructure.com/courses/3091>.

- Please contact me using your UBalt email address. If you do not, there is a strong chance your email will get caught in my spam folder and I may not see it.

### **Additional Instructors:**

**Introduction to Lawyering Skills (“ILS”) Teaching Assistants:** Morgan Kasmer and Keira Sherper

**Law Scholar:** Zoe Kroll

- The TAs and Law Scholar will provide contact information. Note that the ILS TA/Librarian Section is a required part of the ILS course; attendance and assignments are mandatory.
- Law Scholar sessions are highly recommended to support your success in ILS and Civil Procedure, but attendance in these sessions is *not* mandatory and does not factor in either course grade.

### **Course Meeting Times:**

**Introduction to Lawyering Skills:** Mondays, 9-9:50 am (all students with TAs or Law Librarian); Mondays, 1:30-2:45 pm (all students with Professor Koller).

**Civil Procedure I:** Mondays and Wednesdays, 3:00-4:15 pm.

- Meeting times are indicated on the syllabus as follows: “Monday(1)” refers to the first time block of our schedule for that day, which is the TA/Librarian Section time from 9-9:50 am. “Monday(2)” refers to the second time block of our schedule for that day, which is 1:30-2:45 pm. Monday (3) refers to the third time block of our schedule for that day, which is 3-4:15 pm. Similarly, “Wednesday (1)” is 1:30-2:45 pm and “Wednesday (2)” is 3-4:15 pm.

- **Note** that all students will meet with Prof. Koller on some Wednesdays (“Wednesday (1)”) from 1:30-2:45 pm, as indicated on the syllabus.
- Confirm room assignments before first class on MyUB.

### **Required Texts/Materials:**

#### ***Introduction to Lawyering Skills***

- Christine Coughlin et al., *A Lawyer Writes* (3d ed.) (“ALW”)
  - *The Bluebook: A Uniform System of Citation* (21st ed.)
  - Amy E. Sloan, *Researching the Law: Finding What You Need When You Need It* (“RTL”)
  - Dionne Anthon, *The Bluebook Uncovered* (“Bluebook Uncovered”)
  - Core Grammar for Lawyers (online) (“CGL”); **Use Course Code: 323-116-4560 (be sure you are registering for ILS: Civil Procedure Koller)**
- Note that the Law Library will provide you with RTL, *BB Uncovered*, and CGL. The Law Library will also provide you with important codes for accessing the legal research databases. Please watch for email communications from the Law Library about these materials and if you have any questions, contact [lawlibref@ubalt.edu](mailto:lawlibref@ubalt.edu) for assistance.

#### ***Civil Procedure***

- Stephen C. Yeazell, *Civil Procedure* (11th ed., 2023) (“Yeazell”)
  - Stephen C. Yeazell, *Federal Rules of Civil Procedure with Selected Rules and Statutes* (2023)
- You may purchase these books through any seller that you choose. However, 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*
  - 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 purchase 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.

### **Student Learning Outcomes:**

When you successfully complete this course, you will have developed the following skills and knowledge: 1) The ability to self-regulate learning; 2) The ability to accurately identify and explain

Civil Procedure rules; 3) The ability to correctly apply Civil Procedure rules to hypothetical legal issues by making effective analogies, by distinguishing, and by drawing on relevant policy; 4) The ability to read cases and other sources of law effectively; 5) The ability to communicate legal analysis effectively in written form; 6) The ability to identify the rule, holding, and determinative facts of cases; 7) The ability to identify the elements of a rule; 8) The ability to research and properly cite legal authorities; 9) The ability to demonstrate the weight and value of different authority in legal analysis; and 10) The ability to synthesize large quantities of complex material.

### **Course Guidelines and Expectations:**

**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. 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).

**Assignment Deadlines:** Assignments are due on the day and time stated. Late assignments will be penalized or in some cases may not be accepted.

**Attendance:** Class attendance is a critical component of the learning process and reflects professional responsibility. Research demonstrates that students who regularly attend class are more likely to succeed. Additionally, the American Bar Association accreditation standards mandate that a law school adopt, publish, and adhere to a policy for regular class attendance for all students. In alignment with this policy, regular and punctual class attendance is a condition of receiving credit in all courses at the University of Baltimore's School of Law.

### **Modality**

For a student to be considered present, their attendance must be consistent with the modality of the specific class meeting. For example, if a class meeting is in-person, a student must attend in-person to be considered present. If a class meeting is virtual, a student must attend virtually to be considered present.

### **Student Attendance Requirements**

The number of absences a student may accrue is determined by the total number of times a course is scheduled to meet throughout the semester. *Attendance will be separately taken for our ILS and Civil Procedure courses. A student who exceeds more than four (4) absences in either course will be withdrawn from the course with a grade of FA (failure due to excessive absence) unless the Associate Dean for Academic Affairs extends the limit, up to the following maximums: (1) in the fall and spring semesters, up to 4 additional absences for a course scheduled to meet 2 or more times per week; (2) in the fall and spring semesters, up to 2 additional absences for a course scheduled to meet once per week; (3) in the summer semester, up to 1 additional absence. A student whose accrued absences exceed the extended limit will be withdrawn from the course with a grade of FA.*

A student who anticipates accruing excessive absences may be eligible for a Leave of Absence and should contact the Dean of Students to discuss available options.

#### Bases for Extensions

The Associate Dean for Academic Affairs can extend the number of absences a student may accrue based on a student's religious observance or extraordinary individual circumstances.

Extraordinary individual circumstances include, but are not limited to, the following: bereavement (as defined in the [University of Baltimore Student Bereavement Policy](#)), significant physical or mental health incidents, and attendance at activities required for academic credit, such as clinic court appearances and moot court competitions.

Minor illnesses, doctor's appointments, traffic, practice rounds for student competitions, personal events, and professional events (including those sponsored by the law school) are examples of circumstances that *do not* qualify as extraordinary individual circumstances.

A student must provide documentation for extraordinary individual circumstances upon request and must provide advance notice to the Faculty Member whenever possible.

#### Attendance Tracking Procedures

To keep attendance, this class will use attendance software called **Qwickly**. Qwickly is hosted in Canvas, UB's official learning management system. With Qwickly the professor will have a choice to either take attendance manually OR to have you check-in using a pin number generated at the start of class.

To check-in for class using a pin number, you must log into the Canvas site for the course via myUB or at this link <https://ubalt.instructure.com/courses/3091>. Click "Qwickly Attendance (Law)" on the left side of the navigation bar and enter the pin. Qwickly will automatically email you if you are marked absent for the day. If you believe this email was sent in error, please contact the professor and their administrative assistant immediately.

Please note the following regarding attendance in our course:

- Your attendance in class is conclusively established by properly checking in through Qwickly. If you fail to properly enter your attendance during the relevant class period, the student will be counted as absent.
- A student who is more than 15 minutes late may stay for class but *may not* check in to Qwickly and be counted as present for that day.
- Attendance in the TA/Librarian 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 taken into account in the final grading calculation in both Introduction to Lawyering Skills and Civil Procedure.

*All representations related to your class attendance are subject to the Honor Code. I reserve the right to factor attendance into the final grading calculation in both Introduction to Lawyering Skills and Civil Procedure.*

**Class Cancellation:** If I must cancel a class, notices will be sent to students via UB email.

**Class Participation:** Being prepared to participate in class is an important part of professionalism and it is expected that students will come to class fully prepared to engage in class discussion. To optimize our work in class, I will call on students at random and ask for volunteers. As explained above, 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.

- To facilitate class discussion, my assistant will provide you with a name tent. You must display this in all class meetings.

**Class Recording:** I do not record classes. If you will miss a class or otherwise feel that you need to record a class, please let me know. In most cases I will give permission to record on your own device, subject to the University of Baltimore and Law School recording use policies. You may not record classes without permission.

**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 assignments.

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

- Studies show that handwriting notes is more effective for your learning and correlates with better academic performance. In addition, 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 yes, I can tell). With this in mind, please be respectful, professional, and engaged if using your laptop in class.
- If at any time during the semester laptop use becomes distracting or disruptive to our classroom environment I reserve the right to ban the use of the internet or, if necessary, ban laptop use for notetaking (with an exception for students with qualified disabilities).

**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 do not have access to the feedback provided on course evaluations until after all grades are submitted.

**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 to class on time, respecting your classmates, TAs, and me, turning off your cell phone, staying off the internet in class, not routinely getting up in the middle of class to leave the room, coming to class prepared to participate, and otherwise observing norms of professional behavior. I urge you to contact me, the TAs, or Law Scholar, if something related to our class makes you feel uncomfortable or otherwise interferes with your ability to learn.

- *I reserve the right to take into account multiple failures to behave in a professional manner in determining final grades in both Introduction to Lawyering Skills and Civil Procedure.*

**Canvas:** You must participate in the Canvas learning management system that supports this course. You are responsible for self-enrolling and checking the website regularly for course information such as updated copies of the syllabus and copies of materials used in class. Unless otherwise noted, you will submit your assignments through the Canvas assignment submission system. You can find our Canvas course at this link: <https://ubalt.instructure.com/courses/3091>.

**Teaching Assistants:** The Introduction to Lawyering Skills class will be taught in collaboration with Teaching Assistants who will support your understanding of the legal research and citation material taught through the Law Library. 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.

**Zoom and Panopto:** With the exception of the Library Research and Citation Modules, and where noted on the syllabus, our course will be conducted in-person. However, unforeseen circumstances may make it necessary to conduct class over Zoom, and I may create Panopto videos for your use if I believe it would best support your learning. In that case, links will be provided through Canvas.

### **Grading:**

Although this operates as an integrated, 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). Grades will be calculated as follows:

#### **Civil Procedure:**

- Mid-term Exam (25%)
- Final Exam (75%)

#### **Introduction to Lawyering Skills:**

- Writing Assignment #1 (“Closed Memo”)(25%)
- ILS Assignments designated as “for completion” (5%)
  - Material assigned as “for completion” is graded according to the following scale: 5 = full completion with good faith effort; 3 = half completion with some effort; 1 = less than half completion with minimal effort; 0 = not completed
- Email Assignment (10%)
- Writing Assignment #2 (“Open Memo”)(50%)
- TA Section/Library Research and Citation Modules/Core Grammar for Lawyers (10%)
  - You will complete a series of online instructional lessons and assignments relating to legal research and citation. The Modules are administered by the

UB Law Library and can be accessed through our course Canvas site. The assignments will be graded for timely, good-faith completion; failure to complete them by the stated deadline will trigger a grading deduction.

- You will be given assignments connected to ILS such as citation work for your memos. These will be graded for timely, good-faith completion; failure to complete them by the stated deadline will trigger a grading deduction.
  - You will also complete the Core Grammar for Lawyers Online Exercises (CGL). You must test out of or pass each lesson by the dates indicated in the syllabus. The exercises will be graded for timely, good-faith completion; failure to complete them by the stated deadline will trigger a grading deduction. Each lesson takes about 30 minutes to complete. *You are welcome to complete them in advance of the due dates.*
  - Grades for the TA Section/Law Library Research and Citation Modules/CGL will be calculated as follows:
    - Failure to complete assignment = 2-point deduction from Law Library/TA Section score
    - Failure to timely complete assignment = 1-point deduction from Law Library/TA Section score.
    - Good-faith completion of assignment by deadline = full credit
- As explained above, your final course grades in both ILS and Civil Procedure are subject to being lowered based on attendance and other professionalism issues such as persistent late arrivals, lack of preparation for class, internet use in class, etc.

#### Important Dates:

**Memo #1 assigned:** Week of August 28

**Memo #1 group conferences:** Week of October 2

**Civil Procedure Midterm:** October 9

**Memo #1 due:** October 14

**Memo #2 assigned:** October 16

**Email Assignment sent out:** Week of October 23

**Memo #2 group conferences:** Week of November 6

**Memo #2 due:** Monday, November 27

**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 writing project deadline or exam be moved to an *earlier* date.

#### Week of August 21

Monday (1): Meet your TAs/Course Overview

Due: CGL Pre-Test (must be completed by start of class); read syllabus

\*Note regarding the CGL Pre-Test: Make sure to set aside about 90 minutes to do this. You will not be graded on it. The pretest gives you the chance to test out of some parts of CGL; it tailors

the software to your skill level. I do not expect you to do well on this pretest, as it includes material you may not have learned. If you rush through the pretest you will have more work to do, so take your time.

Monday (2): Meet the Librarian/Introduction to Research and Citation

Due: Library Research and Citation Module 1 (Civics and the Legal Research Process)  
(approx. completion time: 1 hour).

**Monday (3): No in-person class meeting.** Watch recordings posted on Panopto titled “Strategies for Law School Success” and “What to Expect from Our Course.”

**Wednesday (1):** Introduction to Legal Analysis

Due: *ALW* Introduction, Chs. 1 and 2

Wednesday (2): Introduction to Civil Procedure

Due: *Yeazell* p. 1-4; 11-21

### **Week of August 28**

**Monday (1): No TA/Librarian Section**

**Due:** Must attend one of the Lexis and Westlaw trainings held this week (information provided by the Law Library).

***\*Please refer to TA/Librarian Section syllabus (posted on Canvas) for future assignments for this portion of course***

Monday (2): Introduction to Legal Analysis

Due: *ALW* Ch. 3

Monday (3): Introduction to Civil Procedure

Due: *Yeazell*, p. 24-33

Wednesday (1): Legal Analysis

Due: *ALW* Chs. 4 and 5; CGL Lesson A

\*Closed Memo assigned

Wednesday (2): Introduction to Civil Procedure

Due: *Yeazell*, p. 33-38; 40-45

