

Lawyering Skills BOOT CAMP -- Fall 2009

Syllabus

Course Goals – In this class you will learn how to ethically and effectively communicate in the law office - how to interview clients and witnesses, give legal advice, and negotiate disputes. You will study case-planning and strategy. You will also explore personal preferences in the practice of law and consider the roles of lawyers in providing access to justice and engaging in public interest lawyering. This course satisfies the skills requirement.

Live Lawyering Experiences— Because these skills and insights are best acquired through actual involvement in legal practice, **each student must participate in the actual practice of law.** This class is the co- requisite for the Civil Clinic and **enrolling in the Civil Clinic is recommended** to observe and practice these skills and to assume the role of a legal professional. Similar opportunities can be obtained through other appropriate Clinics (Criminal, Small Business), the Pro Bono Initiative “clinics” and might be available in paid clerkships. See Clinical Program Brochure for further information on live experiences and on clinic options. This course is a prerequisite for Mediation/Advanced Negotiation.

Priority in enrollment will be given to students in the Civil Clinic.

Instruction—the Lawyering Skills Course

READINGS: The ESSENTIAL LAWYERING SKILLS text by KREIGER & NEUMANN presents the theoretical framework and guidelines for employing the basic lawyering skills of interviewing, counseling, case-planning and negotiating. Please read through the text prior to the beginning of class. Additional readings will be posted on the TWEN site for the class.

BOOT CAMP WEEK: During the five days BEFORE fall semester begins (**during “Intro week” Monday-Friday, August 17 – 21**), we will hold class sessions from 9:00 – 4:30 (with a noon break). During these class meetings we will review the essential components of each skill, watch videotaped demonstrations, engage in role playing exercises, and debrief these role plays. The final day of Boot Camp will involve break-out sessions for instruction in the substantive law that you will encounter in Civil Clinic placements. At the conclusion of this week you should all be primed to observe and practice these skills in actual legal work. This class is offered in “Boot Camp” format to free up more time for clinic work during the semester and to have all students as prepared as possible before beginning clinic work.

DURING THE SEMESTER

RECORDED MOCK PERFORMANCES: An important goal in skills instruction is being able to demonstrate skills in a controlled, experimental setting. Accordingly, each student will be recorded in a mock client interview, a mock client counseling session, and a mock negotiation. These recordings will be individually (and privately) critiqued and graded. These three recorded performances are scheduled throughout the term and will be individually critiqued and graded. Another important instructional goal is that you understand your individual styles, strengths and preferences. Accordingly, feedback on your recorded performances will also focus on your individual tendencies.

REFLECTION TO LEARN FROM EXPERIENCE: The third goal is to support your reflection about the practice of law, your place in legal practice, and how lawyers serve clients. Additional readings posted on the TWEN site will address these concerns. But most important is that you have actual experiences in practice settings to contemplate. You may reflect upon your representation of clients, the skills you observe and employ, and the institutions you encounter. We will meet three times (To Be Scheduled in light of your other course commitments) to reflect about our experiences. Each student will submit two short (1 – 3 p.) reflections and one Final Reflection Paper (10-15 p.) This Final Reflection Paper should critically analyzing some aspect(s) of your live lawyering observations and experiences in light of concepts studied in the course. It may draw upon your short paper(s) and our class discussions.

Grades Grades for the Laywering Skills (3 credit) course will be based upon the recorded interview, counseling session, and negotiation session, short written materials submitted regarding those sessions and the final reflective paper as follows:

Recorded Performances & related Writing	75%
Interview	25%
Counseling	25%
Negotiation	25%
Reflection	25%
2 Short papers – not graded.	
Final paper	25%

Classroom participation may also be considered in assigning grades. It is crucial that you be prepared to play both the lawyering and the client roles assigned, both so that you can have practice experience and *so your classmates can have practice experience*. Unexcused absences may be taken into account. If you must be absent, please leave an email, voicemail, or written message.

Contacts

Please sign up for the TWEN site so that we can email you through that site.

Prof. Linda Smith – Call or stop by Rm. 225

Phone: 581-4077 (office) 583-9344 (home)

Email: smithl@law.utah.edu or linda.smith@law.utah.edu

Rachel Clarke Stoddard – Room 220

Clinical Program Coordinator -- for recording role plays

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SCHEDULE
Lawyering Skills -- Fall 2009

BOOT CAMP

9-noon

1:30 – 4:30

Room tba

Readings from Text: Kreiger & Neumann, Essential Lawyering Skills

Role Play Exercises will be distributed via email prior to class & during class.

Additional readings will be posted on the TWEN site for the class.

Mon. Aug. 17	Tue. Aug. 18	Wed. Aug. 19	Thur. Aug.20	Fri. Aug. 21
Introduction Interviewing Ch. 1 – 9; Lectures & Video Demos	Interviewing Witnesses & Fact Analysis; Ch. 10-17; Lecture & Reflection Exercises	Client Counseling Role Plays I and II with debriefing	Negotiating; Role Plays I & Debriefing	Negotiating; Role Plays II & debriefing
Interviewing; Role Plays I and II with debriefing	Client Counseling; Ch. 18 – 22; Lecture & Video Demos	Negotiating; Ch. 23 – 28; Lecture; Video Demos & Mini Exercises	Ethical & Professional Development Issues	Break-out into Substantive Law Groups

Fri. Aug. 21 Afternoon Break-out Groups (tentative)

Family Law Divorce	Immigration	Landlord – Tenant	Consumer	Benefits
Domestic Violence	Child Abuse/Neglect	Wills / Elderlaw	Employment	Disability

FALL SEMESTER -- RECORDING / CRITIQUE OF SKILLS & REFLECTION MEETINGS

WEEK OF	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
AUG. 17	BOOT CAMP	BOOT CAMP	BOOT CAMP	BOOT CAMP	BOOT CAMP
AUG. 24		FALL CLASSES BEGIN			
AUG. 31					
SEPT. 7	LABOR DAY				
SEPT. 14					
SEPT. 21	½ HOUR -- MOCK INTERVIEW S RECORDED IN CONF. RM. AS SCHEDULED — TO BE REVIEWED INDIVIDUALLY THEREAFTER				
SEPT. 28	1 ST SHORT REFLECTION DUE. 1-HOUR REFLECTION MEETING TO BE SCHEDULED				
OCT. 5	OPTIONAL 1-HOUR REVIEW OF LAW & OPTIONS FOR COUNSELING —TO BE SCHEDULED				
OCT 12	FALL BREAK				
OCT. 19	½ HOUR -- MOCK COUNSELING RECORDED IN CONF. RM. AS SCHEDULED — TO BE REVIEWED INDIVIDUALLY THEREAFTER				
OCT. 26	2 ND SHORT REFLECTION DUE. 1-HOUR REFLECTION MEETING TO BE SCHEDULED				
Nov. 2					
Nov. 9					
Nov. 16	MOCK NEGOTIATION SESSIONS RECORDED IN HOWELL CONF. RM. AS SCHEDULED — TO BE REVIEWED INDIVIDUALLY THEREAFTER				
Nov. 23			THANKS	GIVING	BREAK
Nov. 30	1-HOUR REFLECTION MEETING TO BE SCHEDULED				DEC. 4 LAST DAY OF CLASSES
DEC. 7					
DEC. 14					
DEC. 21	DEC. 22 – FINAL REFLECTION PAPER DUE LAST DAY OF EXAMS				