

## **INTRODUCTION TO LAWYERING (LAW 5755; 2 credits)**

Fall 2019

### **SYLLABUS**

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#### **1. Learning Objectives**

Being an effective lawyer and serving clients well takes more than just knowledge of the law. It also takes an awareness of what it means to be a member of a profession, the ability to work with people, problem solving skills, and a willingness to think deeply about the meaning of one's own career. The goal of this course is to help you begin – for ultimately these are lifelong pursuits – learning about these areas. More specifically, this course aims to improve your knowledge of and skills in four main areas: (1) client-centered lawyering; (2) essential lawyering skills for problem solving, including interviewing, counseling, and negotiation; (3) professional identity formation; and (4) career development and self-care.

#### **2. Required Texts and Other Materials.**

(A) Stefan H. Krieger and Richard K. Neumann, Jr., Essential Lawyering Skills: Interviewing, Counseling, Negotiation, and Persuasive Fact Analysis, (Wolters Kluwer 5<sup>th</sup> Edition 2015). Note: students do *not* need to purchase an access code with this textbook.

(B) Additional Materials: Other necessary materials are available to you on the Canvas site as posted documents or links to documents, which you will access through the “Modules” tab on the Canvas site.

3. **Course Website (Canvas)**. You may access the course website by going to <https://ufl.instructure.com/>. Once you log in using your GatorLink information, you will see the course, *Introduction To Lawyering*, listed there. You should not have any trouble accessing the site or its materials, but let us know if you do.

4. **Reading Assignments**. Students should expect to spend, on average, approximately two hours preparing for every hour of class. Reading assignments are posted on the “Modules” link on the Canvas site (located on the left side of the Canvas site). There are 13 modules corresponding to the 13 weeks of the course. There is a reading assignment for each module, and for several classes there are role play materials to be prepared as well (we will distribute these to you directly during the prior week.) As described below, there are also written assignments and quizzes due certain weeks. When the assignment says “Text,” it means the Krieger/Neumann *Essential Lawyering Skills* book. Some reading assignments include documents posted on the Canvas site or accessible by the electronic links. Reading assignments for the 13 block classes are:

- Week 1: Entering the Legal Profession
- Syllabus (on Canvas site); Chapter 2 in Text; *Overview of Lawyering* (on Canvas site)
- Week 2: Client-Centered Lawyering
- Chapter 3 in Text; *The Path Between Sebastian’s Hospital* (on Canvas site) (pp. 89–99, 107–113, 125–27); *Personal Legal Narrative* is due
- Week 3: Problem Solving and Critical Thinking
- Chapter 4 in Text; *Critical Thinking and Lawyering* (on Canvas site); *Improving Lawyer Judgment* (go to Westlaw and type “67-APR Disp. Resol. J. 56” to pull the document); *Hope Springs* exercise (on Canvas site); *Quiz* is due; *Lawyering Skills Diagnostic* (on Canvas site) is due
- Week 4: Effective Communication
- Chapter 5 in Text; *Open-Minded Listening* (pp. 139-58, 162-63); *Quiz* is due
- Week 5: Interviewing Clients
- Chapter 8 in Text; *Quiz* is due
- Week 6: Negotiation – Integrative & Distributive Bargaining (I)
- Chapter 23 in Text; pp. 333–38 in Text; *Sally Soprano* negotiation exercise materials (your professor will hand out this exercise the week prior to these classes)
- Week 7: Negotiation – Integrative & Distributive Bargaining (II)
- PowerScreen* negotiation exercise materials (your professor will hand out this exercise the week prior to these classes)
- Week 8: Mediation
- “Mediation in Florida” (<http://www.flcourts.org/resources-and-services/alternative-dispute-resolution/mediation.shtml>); *Termination Tempest* negotiation exercise materials (your professor will hand out this exercise the week prior to these classes); *Negotiation Reflection Paper* is due
- Week 9: Professionalism – Civility and Multiculturalism
- The Florida Bar v. Norkin*, 132 So.3d 77 (2013) (on Canvas site); *The Florida Bar v. Norkin Worksheet* (on Canvas site); Chapter 6 in Text; *The Five Habits*:

*Building Cross-Cultural Competence in Lawyers* (only Section III, pp. 64-78) (on Canvas site); Quiz is due

Week 10: Professionalism – Confidentiality

*People v. Belge* (on Canvas site); *The Case of the Buried Bodies* (on Canvas site); Fla.RPC 4-1.6 (on Canvas site); Problem: *Jesus Saved the Kids* (on Canvas site); *Court Observation Reflection Paper* is due

Week 11: Legal Careers: Finding Your Path

*What Makes Lawyers Happy* (on Canvas site); *Lawyers with Lowest Pay Report More Happiness* (on Canvas site); *What We Can Learn from Hot Worms* (on Canvas site); *Statement of Career Development* is due

Week 12: Legal Careers: Job Search – Cover Letters, Resumes & Interview

*Resume Guide and Samples* (on Canvas site); *Cover Letter Guide and Samples* (on Canvas site); *Common Interview Questions* (on Canvas site); *Interview Prep and Tips* (on Canvas site); *Clerk Interview Form* (on Canvas site); *Summer Associate Evaluation Form* (on Canvas); *Resumes and Cover Letters* are due

Week 13: Self-Care

*Keep Calm and Practice Law* (on Canvas site); *The Art of Being Mindful in the Legal World* (on Canvas site); *The Science of Well-Being* (on Canvas site); *Work-Life Balance* (on Canvas site)

5. **How Class Will Be Conducted.** The materials for the course will be presented in a variety of formats including discussions, participatory exercises, and role plays. Because of the nature of the course, we will not have time to cover in depth every aspect of the assigned materials in class. Unless instructed otherwise, you should assume that anything in the assigned materials may be tested. While we will endeavor to explain aspects of the readings that may be difficult to understand, it is your responsibility to ask questions if you need clarification or explanations. We welcome your questions and will be available to you either in person in our offices, after class, or via email. Do not wait until the end of the semester to ask your questions.

6. **Evaluation and Receiving Credit for this Course.** This is a pass/fail course. In order to receive credit for this course, you must do all of the following:

- not miss more than six 55-minute class periods (paragraph 10)
- successfully complete all five written assignments (paragraph 9)
- consistently be prepared when called upon in class (paragraph 8)
- achieve a satisfactory score on the final examination (paragraph 7)
- complete and achieve a satisfactory score on the four quizzes that pertain to the reading assignments (paragraph 11)

- participate in good faith in all classroom activities and exercises
- attend any additional gatherings/events that your professors may identify throughout the semester (paragraph 12)

Students who do not satisfy each of the above requirements will either need to complete additional assignments during the spring semester or repeat this course the following year to earn credit for the course.

Although this is a pass/fail course, each professor will award a small percentage of “S+” grades at the end of the semester to students who excel in the above categories.

7. **The Final Examination.** Students must achieve a satisfactory score on the final exam to receive credit for this course. The exam will consist of two sections: a machine-graded section, with multiple-choice and true-false questions, and a section with one or two short essay questions. The exam will be a closed-book exam. Any material assigned or covered in class may be tested. The quizzes will familiarize you with the multiple-choice questions, and the problems we will discuss in class will give you some idea of the short essay questions you will encounter on the exam. Toward the end of the semester we will provide you with more specific information about the exam.

8. **Class Participation.** We expect you to come to class having read the material, completed any required pre-class assignments (such as assigned pre-class quizzes or worksheets), and prepared to engage in discussions or exercises. Being unprepared when called upon or failing to participate in any assignment or exercise, whether graded or non-graded, may affect whether you receive credit for this course. If you are not prepared to discuss the assigned materials, you may “Pass” for the day by telling us at the beginning of class that you are unprepared, and we will not call on you. You should use the “Pass” option no more than two times during the semester. If you pass after having already exercised that option two times, you will be considered unprepared for that class.

9. **Written Assignments.** To receive credit for this course, you must successfully complete five written assignments. Each assignment is due by the start of class on the day for which it is assigned. These written assignments are: (1) a personal legal narrative; (2) a negotiation reflection paper; (3) a courtroom observation reflection paper; (4) a statement of career development; and (5) a resume and cover letter. Except for the cover letter and resume, the length of each written assignment should be approximately two double-spaced pages. You will find the instructions for each of the written assignments on the Canvas site (under the “Assignments” tab on the left hand side.) *Unless your instructor indicates otherwise, we ask that you both submit these assignments electronically and that you bring hard copies of the assignment with you to class.*

10. **Attendance Requirements.** Pursuant to law school and ABA regulations, students are required to attend class regularly. You must sit in your assigned seat, sign the attendance sheets, and keep track of your absences. Signing the attendance sheet for another person is a serious infraction and may result in administrative removal from the course or a grade reduction. We will not issue warnings—it is your responsibility to keep track of your absences. Absences for observance of religious holidays are excused. Please let us know, via email, if you plan to miss class for this reason only. Otherwise, you are allowed to miss a total of six 55-minute “hours” of class. Each two-hour block includes two hours of class and attendance will be taken during each hour. Upon attaining the seventh 55-minute hour of absences, you may receive a failing grade for the course. Extraordinary situations (such as your own

hospitalization or a death in your family) should be addressed to the staff at Student Affairs, who will handle any exceptional accommodations.

The law school's policy on delay in taking exams can be found at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/academic-policies>. Any arrangements regarding delaying exams, or other accommodations regarding exams, should be addressed to the staff in the Student Affairs office. The law school's grading policy is available at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/academic-policies>.

11. **Quizzes.** To receive credit for this course, you must achieve a satisfactory score on each of the reading quizzes. You can find the quizzes on the Canvas site under the "Quizzes" tab on the left hand side. Each of the quizzes contains questions on that week's reading materials and is due by the start of class on the date for which that reading material is assigned.

12. **Additional gatherings/events.** It is possible that we will require you to attend up to three events at the law school this semester that are designed for first year law students. Attending those events will not conflict with any of your regularly scheduled classes. Your professor will notify you of the time and dates of those events as soon as that information becomes available.

13. **Learning Outcomes.** Students will be able to define and distinguish between foundational concepts involved in client-centered lawyering, interviewing, counseling, and negotiation (including integrative and distributive bargaining), mediation, and legal professionalism, including civility, multiculturalism, and confidentiality. Students will demonstrate knowledge of these concepts through quizzes, written assignments, and the final exam. Students will integrate their knowledge of these concepts through simulation exercises and through reflection papers on simulation exercises, actual legal experiences they or those they know have experienced, and first-hand observation of a trial court. To improve their readiness for the legal job market, students are required to write a self-assessment of their career development, a cover letter, and a resume. Students will achieve knowledge of self-care – a challenging subject for many attorneys – through readings concerning stressors attorneys face, empirical research on the psychological effects of internal versus external motivation, and techniques, including mindfulness practices, for managing stress.

14. **Classroom Behavior.** You are all bound by the University Student Code of Conduct, the College of Law Honor Code, and the rules for this course. Proper conduct in the classroom is necessary to allow everyone to participate in, to derive benefit from, and to enjoy the class. Any unprofessional, disrespectful, harassing, disruptive, or distracting conduct that has a negative effect on the classroom atmosphere is prohibited. ***You are not allowed to use a laptop computer during class, or access the internet or any electronically-stored information using any device (including phones) during class without the professor's permission.*** All electronic devices should be turned off during class. Other inappropriate classroom conduct will be handled on a case-by-case basis. The conduct described in this paragraph may result in administrative removal from the course.

Please arrive to class on time. If you arrive more than 10 minutes late without prior permission, you may be counted as absent.

15. **Statement Related to Accommodations for Students with Disabilities.** Students requesting classroom accommodation must first register with the Office of Disability Resources. The UF Office of

Disability Resources will provide documentation to the student who must then provide this documentation to the Law School Office of Student Affairs when requesting accommodation.

16. **Office Hours.** Your professor will notify you of her/his office hours during which she/he will be available to meet with students throughout the semester.

17. **Course Evaluations.** Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens, and can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.