

**Law 598 Legal Practice: Fundamentals of Legal Writing and Analysis—Section E
Fall 2023 Syllabus—August 30 through October 13**

Professor Ted Becker

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Office Hours: Wednesday 1:30-2:45 & Thursday 1:30-3:30. I typically hold my office hours in person, so please feel free to just stop by my office during those times; no appointment needed. And I will always be happy to meet with students remotely via Zoom; if you would prefer to do that, just let me know. Outside of these formal office hours, I'll be happy to meet with you any time that is mutually convenient, including evenings and weekends.

Senior Judges: Ben Marvin-Vanderryn, bmarvinv@umich.edu
Betsy Sheppard, eshep@umich.edu
Rina Zhang, rinaz@umich.edu

Class Schedule: Wednesday & Friday 10:20-11:15, 220 Hutchins Hall

Required Texts: I'll post the readings for each class on the Canvas class website. I try to post the readings with as much lead time as possible before any given class; sometimes, this might not be until after the immediately preceding class has ended. I also occasionally post background materials that you do not need to read before class but may wish to look at down the road, whether for assignments in this class or perhaps next summer. When I do post such background readings, they'll be clearly identified.

The only text you need to buy is *The Bluebook: A Uniform System of Citation*, 21st ed. Either the e-version or print version is fine.

Recommended: Mark K. Osbeck, *Impeccable Research* (3rd ed., 2022)

The Syllabus is subject to change. Should any changes be necessary, I'll let you know either in class or via e-mail/Canvas.

Course Overview and Learning Goals:

Legal Practice: Fundamentals of Legal Writing and Analysis is the first component of a yearlong set of courses taken by all first-year students, in which you'll begin to develop many of the basic skills you need to practice law while also reinforcing

the analytical skills taught in your doctrinal classes. This course, comprising the first half of the first semester, introduces you to the fundamental analytical and writing skills that you'll continue developing over the rest of the Legal Practice course sequence, beginning with the basic tools of predictive legal analysis. In this one-credit course, you will learn to

- read cases, statutes, and other primary sources of law;
- synthesize legal rules from disparate sources and apply those rules to particular factual situations, and;
- communicate the results of your research and analysis in clear, well-organized prose.

The capstone of the course is your preparation of an extensive written assignment, which you'll revise based on my comments in individual conferences with each of you. This assignment, an internal office memo, will be your first opportunity to learn how to present your objective written analysis of a legal problem to a client or a fellow attorney, and to persuade your reader that your analysis is complete and accurate.

Other Course Policies: See the Course Policies document on the Canvas homepage.

Wednesday August 30 Introduction to Legal Practice

Friday September 1 Case analysis and synthesis

Wednesday September 6 Case analysis and synthesis (continued)

An introductory Westlaw and Lexis session will be held on **Wednesday the 6th, 1:00-2:00**. This will be a joint session with Section F (Professor Pinto) and is in addition to that morning's regular class time. Meeting info to be provided later. Please register your Westlaw and Lexis passwords before the session.

Friday September 8 Introduction to office memos; Large-scale organization

Closed memo assigned. Draft due Wednesday September 27 at beginning of class.

Wednesday September 13 Return of case analysis and synthesis – Florida IIED cases

Friday September 15 Florida IIED cases (continued) and how those authorities might affect the closed memo client's potential cause of action; Small-scale organization

<i>Week of September 18:</i>	At some point during this week, meet with your team to discuss the issues facing your client. There will be a small group project.
<i>Wednesday September 20</i>	Organizing the discussion section (continued); Other closed memo issues (citation)
<i>Friday September 22</i>	Group project discussion; Last minute closed memo questions
<i>Wednesday September 27</i>	New sections for the closed memo rewrite: Caption and Statement of Facts; Style, editing, and revising Closed Memo draft due at beginning of class. Memo conferences start later this week and go through Friday October 6. Closed memo rewrites will be due one week after your conference.
<i>Friday September 29</i>	Introduction to Citation You might wish to review earlier citation handouts and materials; have Bluebook nearby during class
<i>Week of October 2:</i>	Closed memo conferences this week; No office hours unless by appointment
<i>Wednesday October 4</i>	NO CLASS—conferences; work on rewrite of closed memo
<i>Friday October 6</i>	NO CLASS—conferences; work on rewrite of closed memo
<i>Wednesday October 11</i>	Emails and “informal” written communication
<i>Friday October 13</i>	Introduction to legal research (individual teams to provide a sample research issue before class begins); Developing a research strategy Open memo assigned. Research list due Friday October 27 at beginning of class. Draft of memo due Wednesday November 8 at beginning of class.

Law 593 Legal Practice Skills I—Section E
Fall 2023 Syllabus—October 18 through December 1

Professor Ted Becker

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Course Overview and Learning Goals:

Legal Practice Skills I concludes the first semester of Legal Practice by building on the skills to which you were introduced in *Legal Practice: Fundamentals*. The course gives you the chance to further develop your core analytical and writing abilities while

expanding your legal repertoires to include other essential lawyering skills. Throughout *LP Skills I*, you'll be placed in the role of a lawyer representing a client in assorted factual circumstances, and then learn how and why lawyers might bring to bear various skills in those situations. For example, you'll learn about legal research sources and strategies, and how to do the research needed to find the law that potentially affects a client's situation and that you need to adequately advise and represent that client. You'll also receive your first opportunity to act as a counselor, helping clients choose between possible ways to try to resolve a legal problem. You'll be exposed to fact investigation and assessment, via discovery and forensic techniques, and continue expanding your knowledge of additional types of customary legal work product, such as client letters and professional emails. I'll provide frequent feedback to you as part of all of these assignments, which may include the chance to re-write particular written projects. You'll also be expected to self-assess what you're learning and where you might need to continue developing particular skills.

Other Course Policies: See the Course Policies document on the Canvas homepage.

<i>Wednesday October 18</i>	Legal research (statutory research) After this and the next two classes, I will assign some quick projects for you to work on in pairs, thus allowing you to continue developing your research skills for the topic of that day's class. These will be due at the start of the following class.
<i>Friday October 20</i>	Legal research (common law research) Statutory research assignment due at beginning of class.
<i>Wednesday October 25</i>	Legal research (citators) Common law research assignment due at beginning of class.
<i>Friday October 27</i>	Open memo cases Citor research assignment and open memo research list due at beginning of class.
<i>Wednesday November 1</i>	Open memo cases (continued)
<i>Friday November 3</i>	Questions presented and short answers; Other open memo writing issues

- Wednesday November 8* New sections for the open memo rewrite
- Open memo draft due at beginning of class.** Memo conferences will take place starting Friday the 10th and continuing through the following week. **Open memo rewrites will be due Wednesday November 29 at the start of class**
- Friday November 10* Introduction to Legal Ethics
- Informal Communications project assigned, due Wednesday November 29 at start of class**
- Wednesday November 15* NO CLASS—conferences; Work on open memo rewrite and informal communications project
- Friday November 17* NO CLASS—conferences; Work on open memo rewrite and informal communications project
- Wednesday November 22 & Friday November 24* NO CLASS—Thanksgiving Break
- Wednesday November 29* Exam preparation / Finding summer jobs
- Informal Communication project and Open Memo rewrite due at beginning of class.**
- Friday December 1* NO CLASS—study for finals

**Law 594 Legal Practice Skills II – Section E
Winter 2024 Syllabus**

Professor Ted Becker

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Rina Zhang, rinaz@umich.edu

Class Schedule: Monday & Thursday 10:20-11:15, 116 Hutchins Hall

Required Texts: Same as last semester.

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Course Overview and Learning Goals:

Legal Practice Skills II, a full-semester course, continues the skills- and client-based focus of the first-semester Legal Practice courses. Among other things, one goal of *LP Skills II* is shifting students into the role of an advocate. For example, you will develop skills in advocacy and persuasive argument through instruction in pre-trial procedures, pleadings, and drafting pre-trial motions. You will have multiple chances to argue on behalf of a client before a judge. You will also be introduced to transactional practice and skills, such as learning how to negotiate with other parties in a transactional setting followed by drafting agreements to memorialize the results of those negotiations. As the course progresses, we'll frequently discuss how your professional and ethical obligations affect the choices you make when representing clients. You'll receive frequent guidance on your assignments via formative feedback from me, as well as opportunities for your own self-evaluation. Finally, you'll have the chance to work with actual clients in our live-client work with local legal services organizations.

Other Course Policies: See the Course Policies document on the Canvas homepage.

WEDNESDAY January 10 (Classes meet on Monday schedule) Introduction to advocacy

Mid-year self-assessment due at beginning of class

Pretrial brief assigned. **Research email summary due Monday January 22 at beginning of class. Brief due Thursday February 1 at beginning of class.**

Thursday January 11

Pretrial motions and briefs, with special emphasis on motions to disqualify

I will post sample briefs in a separate module on Canvas. Review these as necessary throughout the semester for examples of how the various subjects we discuss are applied in real briefs.

Monday January 15

No class—All law school classes suspended for special programs

Thursday January 18

Legal Services training (joint class with Section H, Professor Wilensky) – meets **11:30-1:00 in TBA** for students doing family law work; **TBA** for students doing landlord/tenant work. Lunch will be provided. I will cancel a class later in the semester to reflect the additional length of this session. Students who have an overlap between this time and an elective class should plan to come to the session once their elective ends.

Monday January 22

Motion to disqualify cases and issues

Research email summary due at beginning of class

Thursday January 25

Motion to DQ cases and issues (continued); organizing and drafting an argument; introduction; statement of facts

Monday January 29

Issue statements; other format issues for pretrial motions/briefs

Thursday February 1 Oral argument

Pretrial brief due at beginning of class. Oral arguments will take place starting next week and continuing into the following week.

Week of February 5: Oral arguments for pretrial brief begin this week

Monday February 5 Oral argument (continued)

Summary judgment brief assigned. **Research Log due Monday February 19 at beginning of class. Draft of MSJ due at start of class on Thursday March 14.**

Thursday February 8 Summary judgment research

Week of February 12: Oral arguments for pretrial brief continue this week; research conferences later in the week

Monday February 12 No class—Pretrial brief oral arguments

Thursday February 15 No class—summary judgment research conferences

Monday February 19 Summary judgment cases and issues

Summary judgment **research log due at beginning of class**

Thursday February 22 Summary judgment cases and issues (continued)

***Week of February 26:* NO CLASS--WINTER BREAK**

Week of March 4: Optional outline conferences begin late this week and continue into the next

Monday March 4 Summary judgment drafting issues

Thursday March 7 Summary judgment wrap-up and last-minute questions

Week of March 11: Summary judgment mandatory conferences start late this week

Monday March 11 No class—work on your summary judgment brief

Thursday March 14

Transactional practice part 1

Transactional exercise assigned. There will be oral research presentations with a supervising attorney as part of this, followed by a negotiation component.

Summary judgment draft due at start of class. Rewrites will be due one week after your oral argument.

Week of March 18: Summary judgment conferences this week; No office hours; Summary judgment oral arguments begin late this week

Monday March 18

Oral argument redux

Thursday March 21

Transactional practice part 2

Week of March 25: Summary judgment oral arguments conclude this week; transactional research presentations later this week

Monday March 25

Negotiation

Thursday March 28

No class—transactional exercise research presentations

Monday April 1

No class—negotiation exercise (schedule this outside of class with your assigned negotiation partners)

Negotiation report (based on results of negotiation exercise) due Thursday April 4 at beginning of class

Thursday April 4

Negotiation/transactional debriefing

Negotiation report due at beginning of class

Monday April 8

What to expect in summer employment; Wrap-up

Thursday April 11

No class—class canceled to compensate for added length of January 18 live-client training session

Monday April 15

No class—study for finals

CLASSES END APRIL 17