

Lawyering Foundations Spring 2024 Course Description and Syllabus

GENERAL INFORMATION

Instructors and Contact Information: Lawyering Foundations is taught by the following members of Bowen faculty and staff, and we are happy to meet with you by appointment:

- Lindsey Gustafson, lpgustafson@ualr.edu (contact with general questions about the course and about Module 5)
- Kelly Terry, ksterry@ualr.edu (contact with questions about Module 1)
- Rejena Grotjohn, rsgrotjohn@ualr.edu (contact with questions about Module 2)
- Anastasia Boles, amboles@ualr.edu (contact with questions about Module 3)
- Kelly Browe Olson, kbolson@ualr.edu (contact with questions about Module 4)
- Patrick Harris, pcharris@ualr.edu
- Diana Snyder, dbsnyder@ualr.edu

Attendance: ABA Standards require a law school's program of legal education to be "rigorous" and to require attendance. Lawyering Foundations has only 13 one-hour class sessions, and five separate modules. Because of the limited class time in each module, you are allowed only one absence during the semester; we do not excuse absences. Exceeding one absence will result in a failing grade for the course.

MATERIALS

Required text: No outside text is required for this course. Instructional materials will be provided. The course will be managed through Google Classroom: <https://classroom.google.com/c/NjQzMdYwODIzODIx?cjc=ixi2qsu>. (The class code is ixi2qsu.)

COURSE LEARNING OUTCOMES

By the end of this course, students will be able to:

1. Explain the concept of a professional identity and identify specific aspects of their own emerging professional identity;
2. Engage effectively in the skill of reflection to assess their development of the core values and core competencies of the legal profession;
3. Explain the benefits of and apply foundational lawyering competencies, including self-directedness, teamwork skills, and active listening;
4. Engage effectively in the skill of culturally proficient lawyering and situate the CPL framework within fundamental lawyering competencies;
5. Explain and apply foundational skills of negotiation;
6. Identify and apply effective techniques for client interviewing and ethical decision making;
7. Define the concept of well-being and identify and implement practices that foster well-being.

GRADES AND ASSIGNMENTS

Lawyering Foundations is a credit/no-credit (pass/fail) course. To pass the course and receive credit, you must successfully complete all five modules and earn a passing score on the final Lawyering Foundations Reflection. Grades in each module will come from the following:

1. *Reading Quizzes*: Many class sessions will have assigned reading with quizzes designed to assure your preparation. These quizzes are not timed, and they are open book and notes. Where assigned, reading quizzes are posted on the Google Classroom site for the course and are due before the class session begins. No late quizzes will be accepted, so plan your time carefully. Students must get at least an 80% to pass a reading quiz. You are allowed to fail one reading quiz without penalty.
2. *Checkpoint Exercises*: At the end of each module, students must complete checkpoint exercises. These exercises are due after the completion of the entire module (some of them are split), but no later than the beginning of the next module, as follows:
 - Module 1 Checkpoint Exercises **due no later than January 22, 2024.**

- Module 2 Checkpoint Exercises **due no later than February 12, 2024.**
 - Module 3 Checkpoint Exercises **due no later than April 1, 2024.**
 - Module 4 Checkpoint Exercises **due no later than March 11, 2024.**
 - Module 5 Checkpoint Exercises **due no later than April 11, 2024.**
3. Students will receive full points for good faith completion of the Checkpoint Exercises but no points for anything less. Students will use the Checkpoint Exercises to complete the final assessment, the Lawyering Foundations Reflection, due no later than **11:59 p.m. on Wednesday, April 17, 2024.**
 4. *Additional exercises as assigned:* In some classes, the instructor may assign exercises instead of reading quizzes. These exercises must be completed with a good-faith effort to pass the module.

Students who fail to pass one of these required elements may request a make-up assignment from the module instructor.

Summary of requirements to receive a passing grade in the course:

1. Successful completion of the reading quizzes for each module;
2. Successful completion of the Checkpoint Exercises for each module;
3. Successful completion of any additional exercises assigned by an instructor; and
4. A passing score on the final Lawyering Foundations Reflection.

COURSE POLICIES

Policies Regarding Collaboration and Use of AI Tools: Our law school, like all others, has a Student Academic Code of Conduct, which we encourage you to read at your earliest opportunity. In addition, some courses have additional rules, which if violated result in a student being reported for an alleged violation of the code. Consequences of being found guilty of a Code violation usually result at a minimum in a failing grade and a note in the student's file, which alerts the administration that it must disclose the offense when the student attempts to sit for a bar exam. If you have any questions about the Student Academic Code of Conduct or the rules for this course, please contact Dean Gustafson.

In this class, unless otherwise directed, all assignments must be completed individually and independently. Intellectual honesty is essential to an academic community and to the fair evaluation of student work. All work submitted in this course must be exclusively your own and must be completed in accordance with the University's and Bowen's policies on academic conduct. Work completed with the assistance of generative AI tools (such as, but not limited to, ChatGPT, DALL-E, etc.) is not your own. Therefore, the use of AI tools is not permitted for any work completed for this course, and use of AI tools will be considered a violation of the University's and Bowen's policies on academic conduct. Violations of these policies that come to our attention will be referred to the Associate Dean for Academic Affairs and may result in the filing of disciplinary charges against the offending student. Violations also may have ramifications for the Character and Fitness assessment that is required for admission to the bar.

Students with Disabilities: Your success in this class is important to us, and it is the policy and practice of the University of Arkansas at Little Rock to create inclusive learning environments consistent with federal and state law. If you have a documented disability (or need to have a disability documented) and need an accommodation, please contact Dean Gustafson privately as soon as possible, so that we can discuss with the Disability Resource Center (DRC) how to meet your specific needs and the requirements of the course. The DRC offers resources and coordinates reasonable accommodations for students with disabilities. Reasonable accommodations are established through an interactive process among you, your instructor(s) and the DRC. Thus, if you have a disability, please contact me and/or the DRC at 501-916-3143. For more information, please visit the DRC website at www.ualr.edu/disability.

Classroom Environment and Expectations: We expect a high level of professional conduct in this class. Professional conduct requires each student to come to class on time, prepared to discuss the readings, and prepared to participate actively and respectfully in class discussions and exercises. If a student knows in advance that he or she will be late for a class, the student should notify the class instructor prior to the class.

The classes will consist of interactive discussions of the assigned reading materials and exercises related to the readings. Your participation in the class discussions is an essential part of your learning, and we expect everyone to actively contribute to the learning in the class. We expect students to take care to respect the different experiences, views, values, and beliefs expressed by students and staff involved in this course. Each voice in the classroom has something of value to contribute to the learning in this course.

Use of Computers and Other Electronic Devices During Class: Computers and other electronic devices may be used during class only for purposes specifically authorized by the course instructors. The only authorized uses for a laptop computer or tablet during a class are to view course materials posted on the Google Classroom site for the course, to complete an in-class assignment, to take

notes, or to refer to notes you made about the reading assignments. Cell phones should be put in silent mode prior to class and put away out of sight.

No audio-recording or video-recording of any part of any class session is permitted. Any violations of these policies regarding recording and/or the use of computers or other electronic devices will be treated as a violation of the UA Little Rock Bowen Code of Student Academic Conduct and will be referred to the Honor Council for investigation.

CLASS SCHEDULE AND ASSIGNMENTS

Date and Instructor	Topics	Assignments for Class	Class Learning Outcomes After this class, students should be able to . . .
<p>Class 1 1/9/24</p> <p>Dean Terry</p>	<p>Module 1: Core Values</p> <p>Introduction to Professional Identity and the Core Values and Competencies of the Legal Profession</p>	<p><i>Sign up for the Google Classroom before class. Details above in Materials.</i></p> <p>Excerpt from <u>Educating Lawyers: Preparation for the Profession of Law</u>, pp. 27-28</p> <p>Excerpt from <u>The Formation of Professional Identity: The Path From Student to Lawyer</u>, pp. 1-5</p> <p>ABA Standard 303 and Interpretations</p> <p>Hamilton Foundational Competencies Model</p>	<ol style="list-style-type: none"> 1. Explain the concept of a professional identity 2. Identify specific aspects of their own emerging professional identity as a lawyer 3. Identify some of the core values and competencies of the legal profession

<p>Class 2 1/16/24</p> <p>Dean Terry</p>	<p>Module 1: Core Values</p> <p>Core Values and Competencies of the Profession</p>	<p>Preamble to ABA Model Rules of Professional Conduct, available at https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/model_rules_of_professional_conduct_preamble_scope/</p> <p>Excerpt from Hamilton, <i>et al.</i>, <i>Standard 303 and the Development of Student Professional Identity: A Framework for the Intentional Exploration of the Profession's Core Values</i></p> <p>Excerpt from <u>Learning From Practice</u>, Chapter 9, <i>Reflective Lawyering</i>, pp. 146-148</p> <p>Excerpt from Mark Lillibridge, <i>A Former Player's Perspective on Film Study</i></p>	<ol style="list-style-type: none"> 1. Explain the two foundational core values common to all service professions, including law 2. Explain primary core values and guiding principles specific to the legal profession 3. Explain the concept of reflection as a professional skill for lawyers 4. Explain the benefits lawyers gain from engaging in reflection.
<p>Class 3 1/23/24</p> <p>Dean Grotjohn</p>	<p>Module 2: Lawyering Competencies I</p> <p>Lawyering Competencies: Self-directedness and character (resilience, pivoting)</p>	<p>Excerpt from <u>Expert Learning for Law Students</u>, Chapter 2, <i>Becoming an Expert Learner</i>, pp. 7 - 41</p> <p>Deliberate Practice Makes Perfect (video)</p>	<ol style="list-style-type: none"> 1. Explain the role of self-regulation in professional development. 2. Identify common character traits of successful attorneys.

		How to Become Great at Just About Anything (Podcast) Hidden Brain (Podcast)	3. Implement deliberate practice to cultivate mastery of professional skills
Class 4 1/30/24 Dean Gustafson	Module 2: Lawyering Competencies I Lawyering Competency: Teamwork	Google re:Work, Understand “What is an Effective Team (Read all of the descriptive text and watch the YouTube video linked on the page, <i>Building a Psychologically Safe Workplace.</i>) Real Property Effective Teamwork Rubric (handout)	<ol style="list-style-type: none"> 1. Explain the characteristics of an effective team. 2. Explain how to encourage psychological safety in professional teams. 3. Reflect on team experiences.
Class 5 2/6/24 Dean Grotjohn	Module 2: Lawyering Competencies I Lawyering Competency: Active Listening	Blocks to Listening/5 Ways to Listen Exercises (handout) Talk Less and Listen More. Here’s How (handout) Why Zoom is Terrible (handout) Want to listen better? Turn down your thoughts and tune in to others (podcast)	<ol style="list-style-type: none"> 1. Identify common blocks to listening. 2. Explain the benefits of active listening in education, professional, and personal settings.
Class 6 2/13/24	Module 3: Culturally Proficient Lawyering	Topic: Tenets of CPL and Self-Awareness	Objectives TBA

Professor Boles		Pre-reading assessment In-class exercise: Cultural Mapping Self-Reflection	
Class 7 2/20/24 Professor Browe-Olson	Module 4: Lawyering Competencies: Negotiation	Topics: Negotiation Fundamentals, Positions and Interests, Conflict Styles/ DYNAD Assignments TBA	<ol style="list-style-type: none"> 1. Identify the basic tenets of negotiation theory 2. Explain the differences between positions and interests 3. Understand your conflict style
Class 8 2/27/24 Professor Browe-Olson	Module 4: Lawyering Competencies: Negotiation	Topics: Negotiation Styles/Formats, Negotiating for Others, Reputational Index Assignments TBA	<ol style="list-style-type: none"> 1. Identify the different legal negotiation formats 2. Explain the differences between negotiating for yourself and others and personal v. professional negotiations 3. Identify what a reputational index is and how reputation influences negotiation
Class 9 3/5/24	Module 4: Lawyering Competencies: Negotiation	Topics: Team Negotiating /Negotiation Ethics, Hiring Negotiations	<ol style="list-style-type: none"> 1. Identify the roles that clients, attorneys and experts play in negotiations.

Professor Browe-Olson		Post Module Evaluation	<ol style="list-style-type: none"> 2. Identify the important role that ethics play in negotiation 3. Explain the distinctions between negotiating with a client and with opposing counsel.
Class 10 3/12/24 Director Harris and Professor Cain	<p>Module 5: Lawyering Competencies II</p> <p>Client Interviewing and Counseling/Ethical Decision-making</p>	Topics and Assignments TBA	
Class 11 3/26/24 Professor Boles	<p>Module 3: Culturally Proficient Lawyering Skills</p>	<p>Topics: Applying CPL Framework to Lawyer Competencies</p> <p>Exercise: Issue-spotting of Client Interview Exercise (Gender and Mental Health)</p> <p>Assessment: CPL Skills Plan</p>	
Class 12 4/2/24	<p>Module 5: Lawyering Competencies II</p>	Definition of Lawyer Well-Being (handout)	<ol style="list-style-type: none"> 1. Identify and explain the dimensions of wellness. 2. Develop strategies for incorporating wellness

<p>Dean Grotjohn</p>	<p>Well-Being, time management</p>	<p>The Lawyerist Podcast: Free Yourself from Productivity, with Oliver Burkeman (podcast)</p> <p>Manage Your Time, Manage Your Stress: Time Management Skills for Lawyers (handout)</p>	<p>strategies as part of a professional development plan.</p>
<p>Class 13 4/9/24</p> <p>Dean Snyder</p> <p>Dean Grotjohn</p>	<p>Module 5: Lawyering Competencies II</p> <p>Finding Your (Path) and Building Towards It</p>	<p>Assignments TBA</p>	<p>Objectives TBA</p>