

**PROFESSIONAL FOUNDATIONS
LAW 180 (Fall 2023)**

WEDNESDAYS 1:00-2:50 p.m., ROOM 203

COURSE SYLLABUS

Faculty Team Members:

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Welcome to Professional Foundations (“ProfFound”)! This course enables you and your colleagues to explore fundamental issues of professional identity, self-reflection, and judgment as you prepare to enter the legal profession. We provide below a quick reference guide for this syllabus:

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Why This Course Is Important. ProfFound plays a unique role in your legal education. **To start**, as a complement to your doctrinal courses, ProfFound provides a broader context for understanding that, although analysis of legal doctrine is a vital aspect of lawyering, it entails only part of what lawyers do when making legal judgments. The American Bar Association (ABA)¹ requires law schools to enable students to explore professional identity, which “focuses on what it means to be a lawyer and the special obligations lawyers have to their clients and society. The development of professional identity should involve an intentional exploration of the values, guiding principles, and well-being practices considered foundational to successful legal practice.” ([ABA Interpretation 303-5](#)). **Second**, this course helps prepare you for Professional Responsibility, a required second-year course, by providing background for understanding ethical decision-making and professional conduct rules for lawyers that are key to Professional Responsibility. **Third**, ProfFound helps set the stage for the six credits of experiential courses the ABA requires all law students to take before graduating. This course does so by focusing on the professional-identity and professional-values dimensions of practice and by stressing the interactive teamwork skills central to the law school’s externships, clerkships and simulation courses, as well as real-world practice settings. **Finally**, ProfFound will help you explore potential legal career paths, starting with employment decisions you might make regarding your experiences next summer. In sum, ProfFound acts as a special bridge to your remaining legal education and as a firm foundation for your transition to practice after graduation.

¹ The largest voluntary legal organization in the United States, the ABA serves as the accrediting body for U.S. law schools. You can find information about the [ABA’s Law Student Division here](#).

Course Goals. ProfFound’s primary course goal aims to enhance your ability to develop and employ the habit of professional self-reflection. It does so through sessions and interactive exercises designed to help you explore these core professional qualities of an effective lawyer:

- (1) Adaptability/Dealing with Unpredictability
- (2) Confronting Mistakes
- (3) Courage/Leadership
- (4) Diligence/Reliability
- (5) Empathy/Compassion
- (6) Generosity/Public-Mindedness
- (7) Honesty/Trustworthiness
- (8) Humility/Respectfulness/Courtesy
- (9) Integrity under Pressure
- (10) Loyalty
- (11) Patience/Perseverance/Resilience
- (12) Professional Objectivity/Sympathetic Detachment

We presume you are familiar with these core qualities from your personal life experiences. However, the challenge in law school is to explore them in new professional contexts that will test their meaning and limits in unexpected ways. In particular, a characteristic that may seem like a common-sense quality in the abstract (e.g., “being honest”) can take on greater complexity in the law practice environment.

For example, professional conduct rules will circumscribe your behavior as a lawyer and put the client’s interests at the forefront of your decision-making process, often in ambiguous and uncertain situations. Acting effectively and appropriately under these conditions may be more difficult than you currently realize. These situations will require you to pause and consider conscientiously what you are about to do, why you are about to do it, and how your actions (or inactions) will affect yourself and others, especially the client. In these ways, being self-reflective is one of the most important practical lawyering skills, and it takes practice and intentionality given the added demands of professional life.

Thus, how you “live out” these core qualities in practice may be somewhat different from what you have previously expected of yourself—and in fact may change over the course of your professional life. The time is *now* to start examining these qualities from professional vantage points as you begin to understand, more deeply, what it really means to be a good lawyer and what psychological and behavioral adjustments may be necessary in order to fulfill that role competently, ethically, and with integrity.

In this way, ProfFound will not be simply an abstract examination of professionalism. One component of this course encompasses real-life scenarios raising professional dilemmas involving the core qualities and asking you to confront the questions “What would *I* do, or how would *I* feel, as a lawyer in that situation?” The course complements and supplements the first year’s emphasis on thinking, writing, and researching about the law, in order to help you to develop a more integrated understanding of what it means to be a practicing lawyer who must bring to bear knowledge, skills, and values in spotting the pertinent issues at stake and solving the problems they present. Exploring realistic lawyering situations will help bring the core qualities to life and reveal not only their complexities and interrelationships, but also the necessity of being thoughtful about them as you attempt to square personal and professional skills and values, no matter what professional path you follow after graduation.

Thus, as noted above, another course goal is to help you envision a career path that suits your sensibilities and aspirations. Reflecting upon the characteristics of a good lawyer will help you to engage with the meaning of that concept in your own life and to identify the kind of lawyer you wish to become.

Overall Course Structure. This thirteen-week course meets each Wednesday from 1:00 to 2:50 p.m. in Room 203. Professor Julia Ernst is the Course Coordinator. Different professors will facilitate the weekly sessions. Please direct general questions about the course (e.g., the syllabus, attendance, essays, etc.) to Prof. Ernst. Changes may be made to the syllabus as needed, and the current syllabus will be posted on Blackboard—be sure to check the online syllabus regularly (instead of a downloaded version).

Units. This course contains two basic units—one focusing on professional being (Unit 1), and the second on professional relationships, practice environments, and other contexts (Unit 2). The first six sessions (Unit 1, Weeks 1-6) concentrate on course basics and the fundamentals of professional life and identity. The next six sessions (Unit 2, Weeks 7-12) provide a platform for exploring and personalizing these concepts in a variety of lawyer-client relationships, practice environments, and other contexts, encouraging you to think more specifically about your own career path and professional aspirations. The last session (Week 13) will set the stage for your Semester Essay, allow for a retrospective examination of lessons learned, and provide the opportunity for taking stock of your professional future through a self-reflective lens.

Individual Weekly Sessions. We team-teach ProfFound because the faculty believes deeply in the importance of this course. Each professor is aligned with a session reflecting their expertise and practical experience to heighten the depth and relevance of each class. The varied line-up of faculty and guest speakers also ensures a diverse educational experience and reinforces the notion that being a professional requires adaptability in dealing with different perspectives and approaches.

To capitalize on the richness of this diversity without sacrificing continuity between sessions, the faculty team has developed course session protocols designed to create consistency from week to week. For most sessions:

- (1) Each professor will post on Blackboard a REFLECTION QUESTIONS sheet that will list questions especially designed to focus you reflectively on the targeted learning outcomes for that class as they relate to one or more of the twelve core professional qualities. Look for this sheet in the pertinent weekly file under Lessons.
- (2) In addition, each professor may assign specific session readings (or other assignments such as films, videos, or podcasts), as well as provide other directions or materials relating to that session in the pertinent weekly file under Lessons.
- (3) Each session will incorporate a variety of approaches, which may include interactive exercises, guest speakers, panels, video clips, presentations, or other techniques to help you delve deeply into the concepts addressed in each session. For example, the exercises might include discussions with your teams, role-plays, drafting challenges, or other simulated experiences. They are intended to ensure that you actively participate in the learning process, either by voicing your viewpoints, playing a part, critiquing a performance, or helping to create or edit a document. Importantly, these exercises will help you cultivate a reflective professional mindset and habits vital to the exercise of sound professional judgment.

Please regularly check the course website for new postings, as you may or may not receive an email notification alerting you to them. If you have questions about Blackboard or Zoom, please call UND Tech Support (701-777-2222) or visit the UND information technology webpage at <https://campus.und.edu/campus-services/uit/>.

Cooperative Learning. The small group teams deserve special mention. During many class sessions, we will use breakout groups, so you will be able to work closely with and learn from other colleagues in your class. We will rearrange your teams twice, so you will interact with three groups of colleagues throughout the semester. The relationships you form in law school can last a professional lifetime, and this course will help you maximize those invaluable connections. We encourage you to continue developing these relationships outside of class by seeking out your colleagues to have coffee conversations, study groups, and other informal gatherings.

Advantages of Small Group Teams. Learning and working together in small group teams will provide many benefits. **First**, the teams emphasize cooperation, not competition. The goal of each group member is to improve their learning by facilitating the learning of all. **Second**, for some students, localizing discussion takes the fear out of speaking in large classes. It also facilitates fluid dialogue and encourages in-depth exploration of the subject at hand. **Third**, working in teams exposes participants to a variety of perspectives and approaches, so the collective can produce more textured or multifaceted responses to questions or problems. **Fourth**, each student will have the chance to engage personally and actively in learning. Such engagement is priceless and will provide you with numerous opportunities to practice and develop the interpersonal and communication skills at the heart of professional behavior and expression, especially in law firms, governmental agencies, public interest organizations, and many other practice settings where teamwork is often essential. Working on a team with your small group also demonstrates the importance of learning from peers (in addition to professors) and asks each of you to take your role in the learning partnership seriously, in part to earn and keep the respect of your future colleagues at the bar, as well as to gain maximum benefit from the course. For helpful hints about maximizing your small group learning, please read and revisit periodically the two-page *Mini-Primer on Successful Small Group Team Discussions* written especially for this course and found on Blackboard.

Attendance. Since the in-class discussions form the heart of this course, which only meets once per week, the faculty team expects you to attend every class session in its entirety. Due to the interactive nature of this course, it is not available via Zoom. However, we understand sometimes professionals face circumstances beyond their control. Therefore, if you absolutely must miss a class (in whole or in part), please demonstrate your professionalism by emailing Prof. Ernst before class (or as soon as possible afterwards, if beforehand is not possible) with an explanation of your absence—just as you would notify the judge if you were unable to make a scheduled court appearance. Additionally, by the Sunday after that class, you must send Prof. Ernst via email a memorandum answering the Reflection Questions and summarizing the readings and materials assigned for that class. Your absence memorandum must address different issues than any you address in the other required assignments. It must be at least five, double-spaced pages using Times New Roman, 12-point font and 1-inch margins in a Microsoft Word document, and use professional grammar, spelling, punctuation, and tone. Do not copy the Reflection Questions into your memo, which must be entirely your own writing. If you miss Week 6 or 13, you will fulfill the absence memorandum requirement by extending your Unit 1 Essay or your Final Semester Essay by an additional five pages instead of a separate memorandum. Although it is not a substitute for attendance, the absence memorandum will enable you to benefit from the concepts addressed in the class.

Furthermore, if you have a third absence (in whole or in part), you must take the following actions within one week of your third absence (in addition to sending Prof. Ernst the absence memorandum concerning the third missed class):

- (1) Send to Prof. Ernst a justification memorandum (via an email attachment):
 - a. reviewing in detail the reasons for each of your absences, and
 - b. explaining in detail why you should not:
 - i. receive a “U” (Unsatisfactory) grade in this course,
 - ii. be prohibited from attending any further classes this semester, and
 - iii. be required to retake this course the following spring to enable you to receive the full benefit of participating in the course;
- (2) Schedule a meeting with Prof. Ernst to discuss your absences and whether you will receive the above consequences or be permitted to complete the course this semester; and
- (3) Continue attending class until you are informed of the decision.

Students who receive a “U” grade in this course for any reason must retake it the following year.

The faculty team is especially concerned with attendance because this course is built upon active learning and interaction with your colleagues. Thus, your participation is vital to enrich not only your own but also your colleagues’ learning experiences. In addition, the attendance rule signifies the importance of the course to your professional development, as well as emphasizing that punctuality, time management, and keeping commitments are crucial components of professional behavior. Attendance will be taken by a sign-in sheet. You must arrive early to sign the attendance sheet and be seated before the start of class, so the class is not disrupted by late arrivals. Once class starts at 1:00 p.m., the attendance sheet will no longer be available, and anyone who has not signed the sheet or is not seated and ready for class will be deemed absent. You must attend the entire class (not arrive late nor leave early); otherwise, it will be counted as an absence. If you must arrive late or leave early, be sure to notify Professor Ernst before class. Please make every effort not to leave the classroom until class is over. Legal professionals participate in trials, hearings, depositions, meetings, and other forums that can last more than two hours, so please prepare accordingly. If you must leave briefly during the middle of class, please notify Professor Ernst and return as quickly as possible. If you have a medical condition posing concerns with this policy, please see Professor Ernst for an accommodation. Even if you arrive late or leave early, be sure to attend as much of the class period as possible, which will be taken into consideration in your petition to remain in the course if you reach three absences.

Technology Respite. The faculty team has adopted a “no technology” policy for this course. Face-to-face interaction is an important part of Profound and a critical part of law practice. This is especially true when meeting with clients, who require your undivided attention and the immediacy of your physical, mental, and emotional presence. Computer screens, cellphones, and other electronic devices create both physical barriers and distractions. They can also come across as unprofessional when you should be paying full attention, including to clients, judges, opposing counsel, jury members, your senior partners, and others. People might not say anything, but they will notice if you are distracted by technology instead of giving your full attention. You may not use a laptop, cellphone, or any other technology in class, unless Professor Ernst specifically authorizes you to do so in an exceptional circumstance. Similarly, unauthorized audio, visual, or any other type of recording of any portion of this class by any student is prohibited. Students may not share or post anything from this course (including but not limited to audio or visual recordings, photographs, screenshots, PowerPoints, assignments, examinations, or anything else) in any manner. If you are eligible to receive an accommodation, please make an appointment with Prof. Ernst as soon as possible to discuss options. If you plan to request disability accommodations, you must register with [UND’s Disability Services for Students](#), 190 McCannel Hall, 701-777-3425.

Initial Course Readings. For the opening session on becoming a self-reflective lawyer, in addition to the syllabus, small group mini-primer, and Reflection Questions (including completing the Interactive Exercise in that document), please read the following articles (on Blackboard under “Lessons”):

- Joshua E. Perry, *Thinking Like a Professional*, 58 J. LEGAL EDUC. 159 (2008), and
- Daisy Hurst Floyd, *Lost Opportunity: Legal Education and the Development of Professional Identity*, 30 HAMLINE L. REV. 555 (2007).

You may wish to revisit these readings from time to time over the semester, as they provide a helpful framework for understanding the course as a whole.

Essay Assignments. ProfFound is graded non-anonymously and on a Satisfactory/Unsatisfactory (S/U) basis. This course is a special opportunity for you to experiment with the critical, creative, and cooperative aspects of your professional selves free from the pressures of a letter grade. To these ends, in addition to completing the requirements for each class session, you will write four reflection essays. You will find these essay assignments on Blackboard under the Four Reflection Essays tab. Each essay must be submitted on time; include your name, the date, and the title of the assignment; use Times New Roman 12-point font; be double-spaced with one-inch margins on all sides; use professional grammar, spelling, punctuation, and tone; address different core professional qualities and different issues from your prior essays; and evidence a good faith effort to reflect upon the assigned topic.

If you submit a document to a court after a deadline or not in compliance with the requirements, the document may be rejected. To emphasize the importance of complying with legal deadlines and requirements, if you submit any assignment or absence memorandum after the deadline, or not in compliance with any other requirement specified in the instructions for that document, you may receive a “U” grade. Receipt of a “U” grade on any assignment may result in a “U” grade in the course, and the student will need to re-take the course the following year. At her discretion, Professor Ernst may request that you resubmit any assignment in compliance with the requirements, along with a memorandum providing a detailed explanation for the missed deadline, non-compliance with the other requirements, or both, along with a plan for compliance with all deadlines and requirements in the future (including when you enter the legal profession).

Please upload each of the four reflection essays to Blackboard as a Microsoft Word document. To do so, go to the Four Reflection Essays tab and click on the folder for the corresponding assignment to find the icon to upload your essay. As to those essays:

1. The first is the *Week 1 Essay*, due by **4:00 p.m. on Monday, August 28**. That essay must be two (2) pages in length. The assignment will be posted on Blackboard and will be discussed in class.
2. The second is the *Week 2 Essay*, due by **4:00 p.m. on Monday, Sept. 4** (Labor Day). That essay must be three (3) pages in length. The assignment will be posted on Blackboard and will be discussed in class.
3. The third is the *Unit 1 Essay*, due by **4:00 p.m. on Monday, October 2**. That essay must be four (4) pages in length. The assignment will be posted on Blackboard and will be discussed in class.

4. The fourth is the *Semester Essay*, due by **4:00 p.m. on Tuesday, November 21**. Please focus this essay on Unit 2 and be sure to address different core professional qualities and different issues from your prior essays. Do not complete this essay until after our final class session, so you can incorporate lessons learned in the final class into your essay. In this essay, you must do two things:

(1) *Self-Reflection Defined*. First, define and describe what it means to be a self-reflective professional based on your experiences in Unit 2 of Professional Foundations. Use at least one concrete example to demonstrate how you have benefitted from being self-reflective about your professional or life experiences. Please label this part of your Semester Essay “Self-Reflection Defined,” which must be one (1) full page in length.

(2) *Key Lessons Learned*. Second, describe the three (3) most important lessons about what makes for a good lawyer you have learned in Unit 2, including in our final class session. You must reference, in support of your lessons learned, at least six (6) of the 12 core professional qualities (listed on the Syllabus, p. 2), citing them by name, and highlighting them in **boldface** type the first time you mention each of them. Label this part of your essay “Key Lessons Learned,” which must be five (5) pages in length.

Thus, the Semester Essay, as a whole, must total six (6) pages in length.

For core professional qualities that contain more than one concept (e.g., “Empathy/Compassion”), citing to each of those concepts will be considered a single quality for purposes of these essays. For example, even if you reference both empathy and compassion, please also be sure to reference qualities from at least five other categories for the *Semester Essay*. Additional requirements regarding the *Semester Essay* will be included in the assignment posted on Blackboard.

Study Hint: Throughout the semester, we suggest you take notes about each weekly session and how it relates to the core professional qualities. Making contemporaneous notes will not only give you a head start on your reflective essays, but also help you capture pertinent insights while they are fresh in your mind and reinforce the learning related to each session.

This chart summarizes the four reflection essay assignments and their due dates:

ASSIGNMENT	DUE DATE	SPECIAL ASPECT
1. WEEK 1 ESSAY (2 pages)	4:00 p.m. on Monday, Aug. 28	Focuses on the complexity of core professional qualities and benefits of group discussion
2. WEEK 2 ESSAY (3 pages)	4:00 p.m. on Monday, Sept. 4	Will be discussed in class and posted on Blackboard
3. UNIT 1 ESSAY (4 pages)	4:00 p.m. on Monday, Oct. 2	Will be discussed in class and posted on Blackboard
4. SEMESTER ESSAY (6 pages)	4:00 p.m. on Tuesday, Nov. 21	Requires (1) self-reflection defined (1 page), and (2) your reflection on three lessons learned and six core professional qualities (5 pages)

Final Grading/Best Semester Essay Awards. To arrive at your final course grade, the course coordinator, in consultation as appropriate with the faculty team, will consider (1) your satisfactory performance on each of the assignments throughout the semester and (2) your satisfactory compliance with the attendance policy. In addition, the course coordinator will determine the three best Semester Essays. Those three students will receive a special certificate acknowledging this commendable achievement.

Honor Code and Student Misconduct. Be sure to comply with the 1) UND School of Law [Pledge of Professionalism](#), [Honor Code](#), and [Policy Manual](#) 2) [UND Code of Student Life](#), and 3) North Dakota [Aspirations of Professionalism and Civility](#) and [Rules of Professional Conduct](#). The law school treats plagiarism as a serious offense. Violations include “submitting the work (whether quoted words, paraphrased words, or ideas) of another, in a draft or final work product for academic credit, without attribution.” UND School of Law Honor Code, Section 2. In this course, cheating, plagiarism, and any other misconduct prohibited by the documents listed above will not be tolerated, and violations may affect your character and fitness assessment for admission to the bar. Academic sanctions may include, but are not limited to, assigning a final grade of Unsatisfactory and requiring the student to retake the course. A student who engages in misconduct that materially disrupts class may be asked to leave the class. Once asked to leave, the student will be considered absent from the class for purposes of the School of Law’s and the course’s attendance policies. Any student misconduct may be reported for sanctions under the UND School of Law Honor Code and the UND Code of Student Conduct.

Accommodations and Services. If you plan to request disability accommodations, you must register with [UND’s Disability Services for Students](#), 190 McCannel Hall, 701-777-3425. If you are eligible to receive an accommodation, please make an appointment with Prof. Ernst as soon as possible to discuss possible options. You should review the UND School of Law’s policy on accommodation (<http://law.und.edu/students/policy-manual/general-policies.cfm>), and you may contact the Office of Student Life with any questions.

If you have emergency medical information, if you need special arrangements in case the building must be evacuated, or if you need accommodations in this course for reasons other than a disability, please contact the Assistant Dean of Student Life as soon as possible. Please note that a number of services are available to law students on campus, including the Writing Center (located in Merrifield Hall, see <https://und.edu/academics/writing-center/>), the Counseling Center (located in McCannel Hall, see <http://und.edu/student-life/counseling-center/>), and Disability Services for Students (located in McCannel Hall, see <https://und.edu/student-life/disability-services/>).

University of North Dakota Notices:

Notice of Nondiscrimination: It is UND policy that no person shall be discriminated against because of race, religion, age, color, gender, disability, national origin, creed, sexual orientation, gender identity, genetic information, marital status, veteran’s status, or political belief or affiliation and the equal opportunity and access to facilities shall be available to all. Concerns regarding Title IX, Title VI, Title VII, ADA, and Section 504 may be addressed to Donna Smith, Assistant VP for Equal Opportunity and Title IX/ADA Coordinator, 102 Twamley Hall, 701.777.4171, UND.EO.TitleIX@UND.edu or the Office for Civil Rights, U.S. Dept. of Education, 230 S. Dearborn St., 37th Floor, 500 West Madison, Suite 1475, Chicago, IL 60611 or any other federal agency.

Accessibility Statement: The University of North Dakota is committed to providing equal access to students with documented disabilities. To ensure access to this class and your program, please contact [Accessibility for Students](#) to engage in a confidential discussion about accommodations for the classroom and clinical settings. Accommodations are not provided retroactively. Students are encouraged to register with Accessibility for Students at the start of their program. More information can be obtained by email, UND.accessibilityforstudents@UND.edu, or by phone at 701.777.2664.

Religious Accommodations: UND offers religious accommodations, which are reasonable changes in the academic environment that enable a student to practice or observe a sincerely held religious belief without undue hardship on the University. Examples include time for prayer or the ability to attend religious events or observe a religious holiday. To request an accommodation, complete [student religious accommodation request form](#). If you have any questions, you may contact the [Equal Opportunity & Title IX Office](#).

Reporting Discrimination, Harassment, or Sexual Misconduct: If you or a friend has experienced sexual misconduct, such as sexual harassment, domestic violence, dating violence, or stalking, please contact the [Equal Opportunity & Title IX Office](#) or UND’s Title IX Coordinator, Donna Smith, for assistance at 701.777.4171 or donna.smith@UND.edu. You may also contact the Equal Opportunity & Title IX office if you or a friend has experienced discrimination or harassment based on a protected class, such as race, color, national origin, religion, sex, age, disability, sexual orientation, gender identity, genetic information, pregnancy, marital or parental status, veteran’s status, or political belief or affiliation.

Pregnancy Accommodations: Students who need assistance with academic adjustments related to pregnancy or childbirth may contact the [Equal Opportunity & Title IX Office](#) or Academic Affairs to learn about your options. Additional information and services may be found at [Pregnancy Resources](#).

Faculty Reporting Obligations Regarding Discrimination, Harassment, or Sexual Misconduct: It is important for students to understand that faculty are required to share with UND's Title IX Coordinator any incidents of sexual misconduct or of discrimination or harassment based on a protected class that they become aware of, even if those incidents occurred in the past or are disclosed as part of a class assignment. This does not mean an investigation will occur if the student does not want that, but it does allow UND to provide resources to help the student continue to be successful at UND. If you have been impacted by discrimination, harassment, or sexual misconduct, you can find information about confidential support services at the [Equal Opportunity and Title IX](#) webpage.

Health and Safety: UND is committed to maintaining a safe learning environment while providing quality learning experiences for our students. As such, UND asks students and instructors to be flexible when necessary to promote a safe environment for learning. Please do not attend an in-person class or lab if you are feeling ill or if you have been directed by health professionals to quarantine or isolate. If you are not able to attend class or lab, please notify your instructor as soon as possible and discuss options for making up any missed work in order to ensure your ability to succeed in the course. If you will have an extended absence due to serious illness or other uncontrollable circumstances, you may request an absence notification through the [Office of Community Standards](#). Similarly, if your instructor is ill they may need to cancel class or temporarily move your course to online delivery to ensure that you are able to complete the course successfully. Instructors may require students to wear masks in the classroom or in the laboratory as a preventative measure designed to facilitate uninterrupted classroom engagement and to facilitate health and safety in the classroom. If your instructor does require masks in class or in a laboratory, you are expected to comply with that request. UND also strongly encourages all members of the University community, including students, to get vaccinated, seek out testing when needed, and model positive behavior both on- and off-campus to foster a healthy and safe learning environment for all students. Individuals who would like to discuss disability accommodations regarding masks should contact Accessibility for Students at 701.777.2664 or UND.accessibilityforstudents@UND.edu. Individuals who are unable to wear a mask due to a sincerely held religious belief should contact the UND Equal Opportunity and Title IX Office at 701.777.4171 or UND.EO.TitleIX@UND.edu.

How to Seek Help When in Distress: We know that while higher education is a wonderful time for many students, some may struggle. You may experience students in distress on campus, in class, or in your home. Distressed students may initially seek assistance from faculty, staff members, their family, and other students. In addition to the support we can provide to each other, professional support services are also available to students on campus through the Dean of Students and University Counseling Center. Both staffs are available to consult with you about getting help or providing a friend with the help they may need. For more additional information, please go to <http://und.edu/und-cares/>. The term "distressed" can mean any of the following:

- Student has significant changes in eating, sleeping, grooming, spending, or other daily activities.
- Student has cut off or minimized contact with family or friends.
- Student has significant change in performance or involvement in academics, extracurricular, or social activities.
- Student is acting withdrawn, volatile, tearful, etc.
- Student is acting out of character or differently than usual.
- Student is talking explicitly about hopelessness or suicide.
- Student has difficulty concentrating or difficulty carrying on normal conversation.
- Student has excessive dependence on others for company or support.
- Student reports feeling out of control of one's emotions, thoughts, or behaviors.
- Student describes problems (missing class, not remembering, destructive behavior) that result from experiences with drinking or drugs.

Weekly Session Descriptions. Below is the list of weekly sessions, including the professors who will be leading each session. You will find your reading assignment and other materials relating to that session in the pertinent weekly file on Blackboard under “Lessons.” Please direct general questions about the course (e.g., the syllabus, attendance, essays, etc.) to Professor Ernst.

UNIT ONE: PROFESSIONAL BEING

The first six sessions focus on what it means to be a legal professional and provide meaningful opportunities to explore the basic contours of professional identity.

Week 1
Aug. 23 **Becoming a Self-Reflective Lawyer**
(Professors Julia Ernst and Michael McGinniss)

This session will start with an overview of the course. Then be ready for an interactive exercise (you have prepared before class in the Reflection Questions document) focused on a core professional quality, illustrating its complexity in a practice setting and demonstrating the advantages of seeing that quality from the varied perspectives made possible by small group team discussions.

Week 2
Aug. 30 **What Does “Law is a Profession” Mean?**
(Professor Julia Ernst)

This session will address why the law is considered a “profession,” along with the special responsibilities that accompany this societal status. It will also invite you to examine how you would like to incorporate your own values into your career as a legal professional. We will discuss how the legal profession has dealt with challenges, including some facing it today. This session will also enable you to explore—as potential role models—the profiles of influential judges, lawyers, and other members of the legal profession.

Week 3
Sept. 6 **Professional Role: Lawyers as Advisors**
(Professor Margaret Moore Jackson)

This session will examine the role of lawyers as advisors, including counseling their clients about matters relating to business or personal transactions, as well as pending or potential litigation. It will introduce several models for client advising. We will consider the practical and moral challenges lawyers may encounter in exercising independent professional judgment and rendering candid advice to their clients.

Week 4
Sept. 13 **Professional Role: Lawyers as Advocates**
(Professor Kirsten Dauphinais)

This session will investigate the evolving role of lawyers as advocates, including representing their clients in matters before tribunals and in negotiations with other parties. We will consider the practical and moral challenges lawyers may encounter in advocating legal and factual positions on behalf of their clients.

**Week 5
Sept. 20** **Professional Role: Legal Professionals as Adjudicators
(Professor Michelle Rivard Parks)**

This session will explore aspects of the judicial branch, including how to become a judge, the judicial decision-making processes, the courtroom environment, and judicial clerkships, as well as the importance and meaning of professionalism and the core professional qualities in these settings.

**Week 6
Sept. 27** **Professional and Personal Well-Being as Legal Professionals
(Professor Jennifer Cook)**

The ABA has issued a report “emphasizing that well-being is an indispensable part of a lawyer’s duty of competence.”² This session will examine key components of professional and personal well-being for legal professionals. It will explore various challenges lawyers may face in maintaining their physical, mental, and emotional health; as well as strategies to enhance your personal and professional well-being throughout your law school experience and legal career.

UNIT TWO: PROFESSIONAL RELATIONSHIPS, PRACTICE ENVIRONMENTS, AND OTHER CONTEXTS

Building on these foundational concepts, the following sessions will provide you with opportunities to reflect upon your understanding of professional identity and the core professional qualities in a variety of lawyer-client relationships, practice environments, and other contexts.

**Week 7
Oct. 4** **Professional Practice: Cross-Cultural Competency & Eliminating Discrimination
(Professor Paul Traynor)**

The American Bar Association’s Section on Legal Education and Admission to the Bar encourages law schools to “provide training and education to law students on bias, cross-cultural competency, and racism.” It explains: “the importance of cross-cultural competency to professionally responsible representation and the obligation of lawyers to promote a justice system that provides equal access and eliminates bias, discrimination, and racism in the law should be among the values and responsibilities of the legal profession to which students are introduced.” This session will discuss elimination of discrimination based on characteristics such as race, ethnicity, gender, sexual orientation, gender identity, and others.

**Week 8
Oct. 11** **Professional Practice: Public Service and Service to the Legal Profession
(Professor Michael Dodge)**

This session will enable you to explore avenues available for public service, as well as opportunities to volunteer with local, state, and national bar organizations and other ways of serving the legal profession.

**Week 9
Oct. 18** **Professional Practice: Psychology and the Law
(Professor Kimberly Schweitzer)**

This session will address various aspects of psychology and the law, including how legal professionals must be mindful of psychological factors regarding clients, jurors, witnesses, and judges, as well as yourself.

² [National Task Force on Lawyer Well-Being](#), February 7, 2018.

Week 10
Oct. 25 **Professional Practice: Public Interest, Pro Bono, and Access to Justice**
(Professor Daniel Lewerenz)

This session will address the responsibility of the legal profession to serve low-income clients and ensure access to justice, as well as introduce opportunities to do so.

The North Dakota Rules of Professional Conduct provide: “A lawyer should render public interest legal service. A lawyer may discharge this responsibility by providing professional services at no fee or a reduced fee to persons of limited means or to public service or charitable groups or organizations, by service in activities for improving the law, the legal system or the legal profession, or by financial support for organizations that provide legal services to persons of limited means.” (Rule 6.1) Comments 1 and 4 accompanying Rule 6.1 state: “The ABA House of Delegates has formally acknowledged ‘the basic responsibility of each lawyer engaged in the practice of law to provide public interest legal services’ without fee, or at a substantially reduced fee, in one or more of the following areas: poverty law, civil rights law, public rights law, charitable organization representation and the administration of justice... The basic responsibility for providing legal services for those unable to pay ultimately rests upon the individual lawyer, and personal involvement in the problems of the disadvantaged can be one of the most rewarding experiences in the life of a lawyer. Every lawyer, regardless of professional prominence or professional workload, should find time to participate in or otherwise support the provision of legal services to the disadvantaged.”

Week 11
Nov. 1 **Professional Practice: Business Representation**
(Professor Bradley Myers)

This session will examine the professional and personal challenges lawyers may encounter in the representation of business clients.

Week 12
Nov. 8 **Professional Practice: Private Law Firms**
(Professor James Grijalva)

This session will address the basic aspects of the practice environment in private law firms, whether large or small, urban or rural, general or specialty.

Week 13
Nov. 15 **Conclusion: Foundations for the Future**
(Professor Julia Ernst and Dean Brian Pappas)

This session will provide an opportunity to reflect on lessons learned throughout the semester and how those lessons have influenced your understanding of yourself as a future lawyer relating to clients and to the community. It will also enable you to look ahead to the rest of your legal education and consider what steps you will take to get the most out of your experiences during law school.