LAWS 641: Serving Clients Well (Foundations II)
University of St. Thomas School of Law
Syllabus – January 2024

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Serving Clients Well (LAWS 641)

Course Description: Lawyers are viewed as problem-solvers, and as leaders in society, and this class introduces a framework of ethical leadership and helps set a trajectory for continued growth. This course highlights skills and traits needed for attorneys to thrive and provides avenues to consider how those skills and traits align with one's values. Given the mission of St. Thomas Law School, the class places a special emphasis on relationships. The class also will facilitate opportunities to discuss problem-solving and cross-cultural competency.

More specifically, this course builds on the foundation laid by Moral Reasoning for Lawyers (Foundations I) in terms of highlighting the interpersonal skills that are essential for providing great service to clients in ways that promote their autonomy and respect their dignity. This course carries forward themes from Moral Reasoning for Lawyers (Foundations I), and introduces students to some of the key skills, competencies, and values necessary to succeed in serving clients well. The class will facilitate opportunities to understand the different contexts in which one can serve clients, to reflect upon the strengths and passions each of us brings as we prepare to serve clients, and to learn about and practice some of the key competencies associated with successful client service—including communication, problem-solving, collaboration, leadership, and integrity.

Grading, Credits, and Expectations: LAWS 641 is a pass-fail, one-credit course. Students are expected to have read the assigned materials prior to class sessions and should be prepared to engage the materials and ask questions as appropriate. To earn a passing grade, you must also complete the following assignments, which are described in further detail on Canvas:

1. **Client Interview.** Complete and submit prior to Wednesday, January 3.

2. **Roadmap Exercises.**

   a. Roadmap Template. Complete by Sunday, January 7.
   b. Roadmap Coach. Meet with your assigned coach by Friday, February 16. (You will be informed of your Roadmap Coach during the week of January 8-12.) If you have not already done so, you also must meet with someone in the CPD office to discuss your plans for your job search over the coming semesters.

3. **Attorney Interview.** You will work in a group to complete the following aspects.
   a. <u>Interview</u>. Complete by Friday, February 2.
   b. <u>Interview Summary and Short Report</u>. Submit by Friday, February 9.
   c. <u>Lunch Discussion</u>. Will take place during the week of February 12-16.
   d. <u>Reflection</u>. Submit by Monday, February 19.

<u>**Class Meetings**</u>: The class sessions will take place on the mornings of Monday, January 8 to Friday, January 12.

1. <u>Each Morning</u>. There will be back-to-back 75-minutes class sessions (9:00-11:45 separated by a 15-minute break).

2. <u>Wed./Thurs. Lunch</u>. In addition, there will be two required lunchtime class sessions on Wednesday, January 10, and Thursday, January 11 (with lunch provided).

3. <u>Feb. 12-16 Lunch</u>. Finally, there will be a lunch during the week of February 12-16, when you will have a chance to discuss your Attorney Interview Summaries.

<u>**Attendance**</u>: Each class will contain frequent group discussions and exercises. Because of this, and because of the short duration of this course, you are expected to attend <u>all class sessions</u> and may not miss any for Mentor Externship experiences. If you must miss a class, contact your professor in advance and you will be required to complete an associated makeup assignment. ***Except with prior written approval from your professor, if you miss more than one day of classes for any reason, you will be required to retake the class next year***.

<u>**Course Materials**</u>: Course materials include compilation of reading materials set up in Canvas as Resource links for each class session, similar to the reading materials for Moral Reasoning for Lawyers, along with a copy of Professor Neil Hamilton's book, <u>ROADMAP: The Law Student's Guide to Meaningful Employment</u>, which will be available in digital format. There will be no charge for any of the course materials, including the <u>Roadmap</u>.

<u>**Learning Outcomes**</u>: This course seeks to advance three primary learning outcomes of the University of St. Thomas School of Law:

<u>Learning Outcome 1: Professional Formation and Ethical Responsibilities</u>. Graduates will demonstrate an understanding of their professional and ethical responsibilities in serving clients, the profession, and society. Whether working in law, business, government, or the non-profit sector, each graduate will be able to describe his or her evolving professional identity, which is grounded in a moral core, includes a commitment to self-directed professional learning, and reflects a concern for the disadvantaged and those who lack access to justice.

<u>Learning Outcome 3: Legal Analysis, Reasoning, and Problem Solving</u>. Graduates will be able to analyze and assess strategies for solving a problem, including identifying legal and non-legal issues that may be important to clients and exercising good judgment in advising clients.

<u>Learning Outcome 6: Teamwork and Relationship Skills</u>. Graduates will demonstrate competence in initiating and sustaining professional relationships and working with

others towards common goals. Graduates will also demonstrate competence in interacting effectively with people across cultural differences.

Disability Accommodations: Academic accommodations will be provided for qualified students with documented disabilities. Students should contact the Disability Resources office early in the semester if possible, by calling (651) 962-6315. More information is online: http://www.stthomas.edu/enhancementprog/. If you have questions about how to set up an appointment, you may contact Jill Akervik, the Law School Registrar, or Debbie Shapiro, the Director of Academic Achievement and Bar Success; they both assist the University in executing specific accommodations.

Course Calendar and Topics

Prior to First Class

- Read Chapter One in ROADMAP – The Law Student's Guide to Meaningful Employment (3d ed.). This will provide an important foundation for the discussions we will have during the class meetings for Serving Clients Well.

- As noted above, there are two exercises you need to complete:
  (1) the **Client Interview Exercise** (by <u>Wednesday, January 3</u>)
  (2) the **ROADMAP Template (**by <u>Sunday, January 7</u>).

Monday, January 8 - How Do Lawyers Serve Clients? What Strengths Do I Bring?

First Session – What Do Lawyers Do and For Whom? What Do Clients Want?

The introductory session will explore the different ways in which lawyers serve clients and the different clients lawyers serve. This session will also focus on what clients value and what they find problematic about working with lawyers, based on both the readings and the data you generate from your client interview exercises.

✓ Jerry Organ, *What Do Lawyers Do and For Whom?*

✓ Clark D. Cunningham, *What Do Clients Want from Their Lawyers*, 2013 J. DISP. RESOL. 143 (2013).

Second Session – Competencies of Successful Lawyers, with a Focus on Self-Directedness, Growth Mindset, and Communications

This session will explore the array of competencies and characteristics that new lawyers need to develop to be successful in the legal profession and to serve clients well. It will provide frameworks for communicating with professionals about those competencies. This session will conclude with a discussion of self-directedness as a key competency and a growth mindset as a key attribute.

✓ Megan Bess*, Grit, Growth Mindset, and the Path to Successful Lawyering*, SSRN, pages 8-26

✓ *****ONLINE –** TEDTalk – Carol Dweck – Growth Mindset (Video Link)

Tuesday, January 9 – Communication and Cultural Humility

First Session – General Communication and Listening

This session will focus on essential skills for building a relationship of trust: presence, physical affect, listening posture, active listening, and conveying information clearly.

- ✓ Jennifer K. Robbennolt & Jean R. Sternlight, PSYCHOLOGY FOR LAWYERS: UNDERSTANDING THE HUMAN FACTORS IN NEGOTIATION, LITIGATION AND DECISION MAKING (ABA Publishing, 2013), 141-170 (Chapter 7 – Interpersonal Communication)

Second Session – Communication Across Cultures and Difficult Conversations

This session will focus on communicating bad news to clients and on communicating with people different from yourself in some way or with whom you have some disagreement.

- ✓ The Hon. Josefina M. Rendon, *What Planet is My Client From? Representing the Culturally Diverse Client*, 53 HOUSTON LAWYER 26 (March/April 2016)
- ✓ Lisle Baker & Jennifer List, *Delivering Bad News Well*, Law Practice Today (Dec. 2018)

Wednesday, January 10 – Problem Solving

First Session – Helping Clients Solve Problems and Overview of Problem Solving

Much of what lawyers do is help clients with problems that have a legal component to them but are not necessarily just legal problems. This session will focus on an overview of problem solving with particular emphasis on identifying or framing the nature of the client's problem through the initial interview process.

- ✓ Paul Brest & Linda Hamilton Krieger, PROBLEM SOLVING, DECISION MAKING, AND PROFESSIONAL JUDGMENT: A GUIDE FOR LAWYERS AND POLICY-MAKERS (Oxford Univ. Press, 2010), Chapter 1, pages 3-31
- ✓ Joseph William Singer & Todd D. Rakoff, *Problem Solving for First-Year Law Students*, 7 ELON LAW REV. 413 (2015) (Pages 421-427)

Second Session – Applying Problem-Solving Concepts

This session will look more specifically at the additional steps associated with problem-solving—identifying possible solutions, evaluating solutions in light of the client's goals and interests, and then choosing and implementing a course of action. This session will also focus on a problem many law students face when they are still moving along the learning curve: trying to figure out what to do when they don't know what to do.

- ✓ Brest & Hamilton Krieger, PROBLEM SOLVING, portions of Chapters 2, 3, 4 (33-37, 61-67, 91-101)

LUNCH PRESENTATION – Conversations with Alumni

Thursday, January 11 – Leadership, Project Management, and Teamwork

First Session – Leadership for Lawyers: Theory, Data, Context, Reflection

In recent years, leadership has become a discipline of its own. There are many definitions of leadership and many avenues for becoming a successful leader. This session will explore various theories of leadership, with a specific focus on leadership in the legal profession.

✓ Bill George, *Leadership is Authenticity, Not Style*, in BUSINESS LEADERSHIP: A JOSSEY-BASS READER, 2ND ED. (Joan V. Gallos, ed., Jossey-Bass, 2008), Chapter 8 (pages 87-98).

✓ Larry Richard, *Leadership Competencies in Law*, in LAW AND LEADERSHIP: INTEGRATING LEADERSHIP STUDIES INTO THE LAW SCHOOL CURRICULUM (Paula Monopoli & Susan McCarty eds., Ashgate, 2013), Chapter 3 (pages 35-54).

Second Session – Project Management/Teamwork

Over the last several years more and more attention has been placed on recognizing that the problem-solving lawyers engage in frequently involves a collaborative enterprise that consists of managing a process or a project. If one thinks about problem-solving as a process or a project, then successful lawyers need to be able to manage the different steps of that process or project while working with others—their clients, witnesses, their staff members, other lawyers, and other experts, to name a few. This session focuses on the essential skills associated with project management and teamwork/collaboration.

✓ John Rampton, *Manipulate Time with These Powerful 20 Time Management Tips*, Forbes, May 1, 2018 (Article Link)

✓ Adam Grant, *Productivity Isn't about Time Management. It's about Attention Management*, New York Times, March 28, 2019 (Article Link)

LUNCH PRESENTATION – Fredrikson Lecture in Honor of John Byron Featuring James Leipold, Former Executive Director of the National Association for Law Placement

Friday, January 12 – Integrity

First Session – Challenges to Maintaining Integrity

The line between ethical and unethical conduct may be difficult to grasp for new lawyers. Even seasoned lawyers may engage in unethical conduct without meaning to do so. This session will help students understand social pressures on ethical decision-making and trace how organizational corruption commonly arises.

✓ David Luban, *Integrity: Its Causes & Cures*, 77 FORD. L. REV. 279 (2003)

✓ Lawrence Solan, *Lawyers as Insincere (But Truthful) Actors,* 36 J. LEGAL PROF. 487 (2012)

Second Session – Steps to Maintain Personal and Institutional Integrity and Speak with Courage

This second session on integrity will focus on what we can do to assure we act with integrity. We will consider some of the choices we can make and habits we can develop to strengthen our ability to act with integrity and minimize the likelihood that we will fail to do so. Finally, we will discuss the importance of speaking with courage to foster and maintain institutional integrity, which is particularly important in a self-regulated legal profession.

- ✓ C.S. Lewis, *The Inner Ring*
- ✓ Patrick J. Schiltz, *On Being a Happy Healthy Ethical Member of an Unhappy, Unhealthy, Unethical Profession*, 52 VAND. L. REV. 871 (1999)(Excerpts)
- ✓ In re. Eric C. Conn, No. 01-8001, Attorney at Law, United States Court of Appeals for Veterans Claims

Additional (optional) Readings to support the ROADMAP process:

- ✓ Timothy W. Floyd, "The Practice of Law as a Vocation or Calling" (1998) (Link)
- ✓ Susan J. Stabile, "The Practice of Law as a Response to God's Call" (2009) (Link)

After the Last Class	
Friday, February 2:	Complete attorney interview
Friday, February 9:	Submit attorney interview summary and short report
February 12-16:	Lunch discussion regarding attorney interviews (day(s) TBD)
Friday, February 16:	Meet with Roadmap coach
Monday, February 19:	Submit attorney interview reflection