

INTRODUCTION TO LAWYERING (LAW 5755; 2 credits)
Fall 2024
SYLLABUS

Prof. Judy Clausen

Section 1

Email: jclausen@law.ufl.edu

Office Phone: 352-273-0631

Office Location: 105 Bruton-Geer

Office Hours: Mondays from 12:30 – 3:15 p.m.;

Thursdays via telephone or email from 9:00 am – 12:00

Class Location: Holland Hall 285C C

Monday 3:30 – 5:30 p.m.

Professor Brian Mitchell

Section 2

Email: mitchell@law.ufl.edu

Office Phone: 352-273-0630

Office Location: 287 Holland Hall

Office Hours: Thursday, 3:15 – 5:15 p.m.

Class Location: MLAC 106

Thursday: 10:00 a.m. – 12:00 p.m.

Professor Silvia Menendez

Section 3

Email: menendezs@law.ufl.edu

Office Phone: 352-273-0740

Office Location: Holland Hall 351

Office Hours: Tuesday, 2:00 – 4:00 p.m.

Class Location: Holland Hall 345

Monday: 3:00 – 5:00 p.m. (please note exceptions on syllabus below).

Course Website (Canvas).

You may access the course website by going to <http://elearning.ufl.edu/>. Once you log in using your GatorLink information, you will see the course, *Introduction to Lawyering*, listed there. You are responsible for reviewing the page for course updates. Important information regarding the course will be posted in the “Announcement” section. Please check it frequently.

Required Texts and Other Materials.

(A) Stefan H. Krieger, Richard K. Neumann Jr., and Renée M. Hutchins, *Essential Lawyering Skills: Interviewing, Counseling, Negotiation, and Persuasive Fact Analysis*, (Wolters Kluwer 6th Edition 2020).

(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.

Course Objective and Goals:

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 effectively 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, emotional intelligence, counseling, and negotiation;
- (3) professional identity formation; and
- (4) career development.

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), and legal professionalism, including civility, 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, reflection papers, and a 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.

Evaluation and Receiving Credit for this Course. This is a pass/fail course. To receive credit for this course, you must do all the following:

- not miss more than three classes
- successfully complete all written assignments
- consistently be prepared when called upon in class
- achieve a satisfactory score on the final examination
- complete and achieve a satisfactory score on all quizzes and exercises
- participate in good faith in all classroom activities and exercises

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.

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/>.

COURSE POLICIES:

Attendance Requirements. Pursuant to law school and ABA regulations, students are required to attend class regularly. 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 3 classes. We will not issue warnings—it is your responsibility to keep track of your absences. Upon attaining the fourth absence, you may receive a failing grade for the course. Extraordinary situations, personal illnesses, and not-cleared COVID statuses should be addressed to the staff at Student Life, who will handle attendance accommodations.

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.

Written Assignments. To receive credit for this course, you must successfully complete the four 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 resume; (2) a cover letter; (3) a statement of career development; and (4) a courtroom observation reflection paper. You will find the instructions for each of the written assignments on the Canvas site (under the “Assignments” tab on the left hand side.) You are required to submit all of the assignments on Canvas. You also need to email your resume to your assigned Career and Professional Development Advisor. The length of the statement of career development and courtroom observation reflection paper should be approximately two pages each.

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.

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.*** Except as provided below concerning in-class recordings, 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.

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.

Preferred Names. Please tell your professor if the name or other information they have for you is incorrect.

Recordings of Class

[Under a state law enacted in 2021,](#) any student may create an audio or video recording of a class lecture for [educational purposes](#). That recording may not be “published” or shared without the instructor’s permission, but it may be used under law for various purposes, including for your personal use and as the basis of a complaint with the university.

Discourse, Inclusion, and Classroom Ethos: As a law student and future lawyer, it is important that you be able to engage in rigorous discourse and critical evaluation while also demonstrating civility and respect for others. This is even more important in the case of controversial issues and other topics that may elicit strong emotions.

As a group, we are likely diverse across racial, ethnic, sexual orientation, gender identity, economic, religious, and political lines. As we enter one of the great learning spaces in the world—the law school classroom—and develop our unique personality as a class section, we encourage each of us to:

- commit to self-examination of our values and assumptions
- speak honestly, thoughtfully, and respectfully

- listen carefully and respectfully
- reserve the right to change our mind and allow for others to do the same
- allow ourselves and each other to verbalize ideas and to push the boundaries of logic and reasoning both as a means of exploring our beliefs as well as a method of sharpening our skills as lawyers

As part of our commitment to teaching and serving the diverse UF Law community, we have signed the UF Law Anti-Racism Resolution.

GETTING HELP

To reach the law school's mental health counselor, Ritzy Ettinger, email rettinger@ufl.edu.

Additional resources are available at <http://www.distance.ufl.edu/getting-help> for:

- Counseling and Wellness resources
- Disability resources
- Resources for handling student concerns and complaints
- Library Help Desk support

Should you have any complaints with your experience in this course please visit <http://www.distance.ufl.edu/student-complaints> to submit a complaint.

UF LEVIN COLLEGE OF LAW STANDARD SYLLABUS POLICIES:

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations can be found at this link: <https://ufl.instructure.com/courses/427635/files/74674656?wrap=1>.

COURSE SCHEDULE- Section 3- please note that four of our meetings have been moved to 3:30 to 5:30 p.m., to accommodate our speakers, and on 10/28 and 11/4, we will meet in room 180 with section 1. Changes are highlighted below.

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). The first class will be held on the first day of 1L Orientation, and there is not a reading assignment for this class. There is a reading assignment for each of the other modules, and for some classes there are role play materials you should study in advance as well. As described below, there are also written assignments, exercises, and quizzes due certain weeks. When the assignment says "Text," it means the Krieger/Neumann/Hutchins *Essential Lawyering Skills* book. Some reading assignments include documents posted on the Canvas site or accessible by electronic links.

The planned reading assignments for the classes are posted below. Please note that changes may be made to accommodate speakers or other events. For the most up to date list of assignments, please see the Canvas page.

Class # & Date	<u>Subject and Assignment</u>
Class 0.5: First day of Orientation	<u>Introduction to ITL: Entering the Legal Profession</u> (M Smith, Asst. Dean for Experiential Learning & Engagement) No reading assignment
Class 1: Sec. 1 & 3- 8/19 Sec. 2- 8/22	<u>Client-Centered Lawyering</u> Chapters 2 & 3 in Text; <i>The Path Between Sebastian’s Hospital</i> (on Canvas site) (pp. 89–99, 107–113, 125–27) Assignment Due: Post an introductory video on Canvas before the first day of class.
Class 2: Sec. 1 & 3- 8/26 Sec. 2- 8/29	<u>Problem Solving and Critical Thinking</u> Chapter 4 in Text; <i>Critical Thinking and Lawyering</i> (on Canvas site); <i>Improving Lawyer Judgment</i> (go to Westlaw and type “67-APR Disp. Resol. J. 56” to pull the document); In-Class Exercise
Class 3: Sec. 1 & 3- 9/4 (moved from 9/2- Labor day) Sec. 2- 9/5	<u>Effective Communication</u> Chapter 5 in Text; <i>Open-Minded Listening</i> (pp. 139-58, 162-63); Emotional Intelligence articles in Canvas <i>Quiz</i> is due
Class 4: Sec. 1 & 3 - 9/9-3:30- 5:30 Sec. 2- 9/12	Part 1: <u>Legal Careers: Presenting Yourself in Writing (Resumes and Cover Letters)</u> <i>Assignment: Students are required to meet with their Career Services Advisor for a resume and cover letter review appointment no later than November 1, 2024.</i> Part 2: <u>Legal Careers: Presenting Yourself in Person (Networking)</u> <i>Assignment: Students are required to attend the 1L Professional Development Conference (9/27). Students are encouraged to attend the Public Interest Networking Event (10/23). Students are encouraged to attend the Alumni Networking Event (9/13).</i> Career Services will email you the reading
Class 5:	Part 1:

<p>Sec. 1 & 3 - 9/16 3:30-5:30 Sec. 2- 9/19</p>	<p><u>Legal Careers: Presenting Yourself in Person (Interviewing)</u> <i>Assignment: Students are required to complete a practice interview through OCPD's Practice Interview Program. Program dates: 10/2, 10/9 and 10/16. Students will be assigned dates by section.</i></p> <p>Part 2: <u>Legal Careers: Preparing to Present Yourself in Person (Researching Employers)</u> <i>Assignment: Students are required to attend at least one 1L Summer Job Search Panel: Judicial Internships (10/1), Public Sector (10/8), and Private Sector (10/15). Students are encouraged to begin exploring the resources discussed to prepare for the 1L summer job search.</i></p> <p>Part 3: <u>Legal Careers: Career Path Exploration (Professional Identity)</u> <i>UF Law format resume and cover letter draft is due (please email documents to your assigned OCPD Advisor). Career Development Statement is due.</i></p> <p>Reading: Career Services will email you required reading.</p>
<p>Class 6: Sec. 1 & 3- 9/23 Sec. 2- 9/26</p>	<p><u>Interviewing Clients & Client Counseling</u> Chapters 8, 18 and 19 in Text In-class exercise</p>
<p>Class 7: Sec. 1 & 3- 9/30 Sec. 2 10/3</p>	<p><u>Professionalism- Confidentiality</u> People v. Belge (on Canvas site); The Case of the Buried Bodies (on Canvas site); Fla.RPc 4-1.6 (on Canvas site); In class exercise: Jesus Saved the Kids (on Canvas site);</p>
<p>Class 8: Sec. 1 & 3- 10/7 Sec. 2 10/10</p>	<p><u>Professionalism</u> Tenative- Guest Speaker Reading TBA</p>
<p>Class 9:</p>	<p><u>Next Generation Lawyering</u></p>

Sec. 1 & 3- 10/14	Tentative- Guest Speaker
Sec. 2 10/17	Reading TBA
Class 10: Sec. 1 & 3- 10/21 Sec. 2- 10/24	<u>AI and Lawyering</u> Readings available on Canvas
Class 11: Sec. 1 & 3- 10/28; 3:30-5:30 rm 180; Sec. 2- 10/31	<u>Negotiation – Integrative & Distributive Bargaining</u> Professor Donna Erez-Navot – Director, Mediation Clinic) Chapter 23 in Text; pp. 391–97 in Text; Negotiation exercise materials will be posted in Canvas
Class 12: Sec. 1 & 3- 11/4; 3:30-5:30 rm 180; Sec. 2- 11/7	<u>Mediation</u> (Professor Erez-Navot) Mediation materials will be posted in Canvas
Class 13 Sec. 1 & 3 – 11/18 Sec. 2- 11/14	<u>Professionalism – Multicultural Lawyering and Developing Intercultural Competence</u> (M. Smith) Chapter 6 in Text; <i>The Five Habits: Building Cross-Cultural Competence in Lawyers</i> (only Section III, pp. 64-78) (on Canvas site); <i>Quiz is due</i> <u>Civility and Civil Discourse</u> <i>The Florida Bar v. Norkin</i> , 132 So.3d 77 (2013) (on Canvas site);

	<p><i>The Florida Bar v. Norkin Worksheet (on Canvas site);</i></p> <p><i>Setting Ground Rules - Civil Discourse and Difficult Decisions (on Canvas)</i></p> <p><i>Court Observation Reflection Paper is due.</i></p>
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