

INTRODUCTION TO LAWYERING (LAW 5755; 2 credits)

Fall 2022

SYLLABUS

Prof. Judy Clausen
(352) 273-0631
jclausen@law.ufl.edu

Prof. Silvia Menendez
(352) 273-0740
menendezs@law.ufl.edu

Prof. Rachel Inman
(352) 273-0921
inman@law.ufl.edu

1. Learning Objectives

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, counseling, and negotiation; (3) professional identity formation; and (4) career development.

2. 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) Sally Soprano I Role Play Materials (can be purchased at UF Law Bookstore at a later date); PowerScreen Problem Role Play Materials (can be purchased at UF Law Bookstore at a later date); both will be distributed by your professor.

(C) 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.

3. **Course Website (Canvas).** You may access the course website by going to <https://ufl.instructure.com/>. Once you log in using your GatorLink information, you will see the course, *Introduction to Lawyering*, listed there. You should not have any trouble accessing the site or its materials but let us know if you do.

4. **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). There are 134 modules corresponding to the 14 weeks of the course. 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 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 the electronic links. Reading assignments for the 14 block classes are as follows:

Week 1: Introduction to the Course; Entering the Legal Profession (class held on the first day of 1L Orientation)

No reading assignment

Week 2: Client-Centered Lawyering

Chapters 2 & 3 in Text; *The Path Between Sebastian's Hospital* (on Canvas site) (pp. 89–99, 107–113, 125–27)

Week 3: Problem Solving and Critical Thinking

Chapter 4 in Text; *Critical Thinking and Lawyering* (on Canvas site); *Improving Lawyer Judgment* (go to Westlaw and type “67-APR Disp. Resol. J. 56” to pull the document); *Hope Springs* exercise (on Canvas site); Quiz is due

No class 9/5- Labor Day

Week 4: Effective Communication

Chapter 5 in Text; *Open-Minded Listening* (pp. 139-58, 162-63); Quiz is due

Week 5: Interviewing Clients

Chapter 8 in Text; Quiz is due

Week 6: Negotiation – Integrative & Distributive Bargaining (I)

Chapter 23 in Text; pp. 391–97 in Text; *Sally Soprano* negotiation exercise materials (provided by your professor)

Week 7: Negotiation – Integrative & Distributive Bargaining (II)

PowerScreen negotiation exercise materials (provided by your professor)

Week 8*: Negotiation – Integrative & Distributive Bargaining (II)

PowerScreen Follow- up- Be prepared to discuss the process and results of your negotiation

Legal Careers: Introduction to Experiential Learning and Career Path Exploration

Law Jobs: The Complete Guide (on Canvas); *ABA Legal Career Quiz* (on Canvas); *After Corona Legal Careers: More Choices and Less Practice 2020* (on Canvas)

Attend the Alumni Legal Career Path Panel on October 11, 2022, at 12pm.

Week 9*: Legal Careers: Presenting Yourself in Writing (Resumes and Cover Letters)

Resume and Cover Letter Guide (on Canvas). *Statement of Career Development* is due;

Client Counseling

Chapters 18 & 19 in Text

Week 10*: Legal Careers: Gaining Substantive Legal Experience (The 1L Summer Job Search)

What to Know About Your First Summer Internship (on Canvas); *UF Law format resume* is due (please email your resume to your assigned Professional Career and Development Advisor as well)

Attend 1L Summer Job Search Panel on October 25, 2022, at 12pm.

Client Counseling: structuring options & the counseling meeting

Chapters 20 & 21 in Text

Week 11*: Legal Careers: Presenting Yourself in Person (Interviewing for a Job)

Interview Guide (on Canvas); *UF Law Resources – Tips for Researching Firms* (on Canvas); *14 Tips for Acing Your Online Video Call Job Interview* (on Canvas); *8 Tips for an A+ Interview* (on Canvas); *Cover Letter* is due (please email your cover letter to your assigned Professional Career and Development Advisor as well)

Attend Interview Tips Panel on November 1, 2022, at 12pm.

Client Counseling: the counseling meeting

In class counseling exercise- Review counseling scenario (provided in class)

Week 12: Professionalism – Confidentiality

People v. Belge (on Canvas site); *The Case of the Buried Bodies* (on Canvas site); Fla.RPC 4-1.6 (on Canvas site); Problem: Jesus Saved the Kids (on Canvas site); *Court Observation Reflection Paper* is due

Week 13: Professionalism – Multicultural Lawyering and Developing Intercultural Competence

Chapter 6 in Text; *The Five Habits: Building Cross-Cultural Competence in Lawyers* (only Section III, pp. 64-78) (on Canvas site); complete the *Intercultural Development Inventory* (IDI) and online *Intercultural Development Plan* (IDP); Quiz is due

Week 14: Civility and Civil Discourse

The Florida Bar v. Norkin, 132 So.3d 77 (2013) (on Canvas site); *The Florida Bar v. Norkin Worksheet* (on Canvas site); *Setting Ground Rules - Civil Discourse and Difficult Decisions* (on Canvas)

5. **How Class Will Be Conducted.** The materials for the course will be presented in a variety of formats including discussions, participatory exercises, and role plays. Because of the nature of the course, we will not have time to cover in depth every aspect of the assigned materials in class. Unless instructed otherwise, you should assume that anything in the assigned materials may be tested. While we will endeavor to explain aspects of the readings that may be difficult to understand, it is your responsibility to ask questions if you need clarification or explanations. We welcome your questions and will be available to you either by Zoom, phone, or via email. Do not wait until the end of the semester to ask your questions.

*Please note that weeks 8-11 will cover material from your text as well as material related to your future job searches. Additionally, for three of these weeks you must attend a Zoom Guest Panel focused on the legal careers topic for that week. You will be provided the specific times and Zoom links closer to those dates.

6. **Evaluation and Receiving Credit for this Course.** This is a pass/fail course. In order to receive credit for this course, you must do all of the following:

- not miss more than three classes (paragraph 10)
- successfully complete all four written assignments (paragraph 9)
- consistently be prepared when called upon in class (paragraph 8)
- Attend all OCPD Panels (paragraph 5)
- achieve a satisfactory score on the final examination (paragraph 7)
- complete and achieve a satisfactory score on the four quizzes that pertain to the reading assignments (paragraph 11)
- 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.

7. **The Final Examination.** Students must achieve a satisfactory score on the final exam to receive credit for this course. The exam will consist of two sections: a machine-graded section, with multiple-choice and true-false questions, and a section with one or two short essay questions. The exam will be a closed-book exam. Any material assigned or covered in class may be tested. The quizzes will familiarize you with the multiple-choice questions, and the problems we will discuss in class will give you some idea of the short essay questions you will encounter on the exam. Toward the end of the semester we will provide you with more specific information about the exam.

8. **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.

9. **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.

10. **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 Affairs, who will handle attendance accommodations.

The law school’s policy on delay in taking exams can be found at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/academic-policies>. Any arrangements regarding delaying exams, or other accommodations regarding exams, should be addressed to the staff in the Student Affairs office. The law school’s grading policy is available at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/academic-policies>.

11. **Quizzes.** To receive credit for this course, you must achieve a satisfactory score on each of the four 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.

12. **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, multiculturalism, 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.

13. **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.

14. **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.

15. **Office Hours.**

Professor Inman: Tuesday 3-4 pm, Thursday 4-5 pm

Professor Menendez: Mondays, 3–4 pm, Fridays, 11–noon

Professor Clausen: Mondays, in person, 12:15 PM to 1:00 PM and 3:30 PM to 4:15 PM

Tuesdays, remote by zoom or conference call 11:00 AM to 1:00 PM

16. **Course Evaluations.** We hope that students will provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click [here](#) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>.

17. **In-Class Recordings:** Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor. A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include student presentations, academic exercises involving solely student participation, assessments (quizzes, tests, exams), private conversations between students in the class or between a student and the faculty or lecturer during a class session. Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

18. **Preferred Names and Pronouns:** It is important to the learning environment that you feel welcome and safe in this class; and that you are comfortable participating in class discussions and communicating with us on any issues related to the class. If your preferred name is not the name listed on the official UF roll, please let us know as soon as possible by e-mail or otherwise. We would like to acknowledge your preferred name, and pronouns that reflect your identity. Please let us know how you would like to be addressed in class if your name and pronouns are not reflected by your UF-rostered name.

You may also change your "Display Name" in Canvas. Canvas uses the "Display Name" as set in myUFL. The Display Name is what you want people to see in the UF Directory, such as "Ally" instead of "Allison." To update your display name, go to one.ufl.edu, click on the dropdown at the top right, and select "Directory Profile." Click "Edit" on the right of the name panel, uncheck "Use my legal name" under "Display Name," update how you wish your name to be displayed, and click "Submit" at the bottom. This change may take up to 24 hours to appear in Canvas. This does not change your legal name for official UF records.

19. **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.