This memorandum contains important information about the course and addresses the topics listed below. A separate syllabus contains the schedule of assignments for this semester. You are responsible for knowing the information contained in these two documents. If you have any questions, please raise them with me in class, during office hours, or via email.

- Teaching Assistants
- Office Hours and Policies
- Class Meetings
- Required and Recommended Texts
- Course Management Site
- Course Description and Learning Outcomes
- Credits, Assignments, and Grading Policies
- Deadlines and Late Penalties
- Major Written and Oral Assignments
- General Format Requirements for Written Assignments
- Collaboration Policy
- University of North Dakota School of Law Honor Code
- Plagiarism
- Attendance Policy
- Class Participation
- Professionalism
- Technology Policy
- Social Policy
- Special Accommodations

**TEACHING ASSISTANTS**

Michael Baldwin, 3L  
(e) michael.baldwin@und.edu

Magdalena Brockel, 2L  
(e) magdalena.brockel@und.edu

**OFFICE HOURS AND POLICIES**

Mondays: 11:00 a.m. – 12:30 p.m.
Wednesdays: 11:00 a.m. – 12:30 p.m.
*Other times by appointment*
During office hours, meeting with students is my top priority, and I encourage you to come by. If you cannot come during my regular office hours, please contact me to schedule an appointment and suggest a range of times that would work for you.

I have three limits on meetings with students:

1. I will not meet during class times for your other first-year courses (including make-up classes). I also delete emails sent during the times scheduled for other first-year courses.

2. To discourage procrastination and keep the playing field level, I will not discuss the substance of a major written assignment just before that assignment is due; this “blackout” period begins 24 hours before the assignment is due.

3. I will not discuss a major graded assignment for the first 24 hours after returning it to you. Please use this time to read my comments carefully and reflect on your work before coming to see me.

CLASS MEETINGS

Mondays & Wednesdays: 1:00 p.m. – 2:25 p.m., in Room 334.

REQUIRED TEXTS

Christine Coughlin, et. al., *A Lawyer Writes* (2d ed. 2013). (Coughlin)

*The Bluebook: A Uniform System of Citation* (20th ed. 2015). (Bluebook)

Linda Barris, *Understanding and Mastering The Bluebook* (3d ed. 2015). (Barris)

Anne Mullins & Tammy Pettinato, *North Dakota Legal Research* (2016). (Mullins)

RECOMMENDED TEXTS


COURSE MANAGEMENT SITE

Course materials, assignments, and announcements will be posted on TWEN under Lawyering Skills I. The password for the course is HeinrichFall2017. All major assignments for this course must be submitted using the TWEN Dropbox. All electronic correspondence with the class will be conducted through TWEN as well. As a result, please ensure you enter your e-mail correctly when registering for our TWEN page.
COURSE DESCRIPTION

Lawyering Skills I is the first of two required semesters of lawyering skills instruction. The course is an introduction to the American legal system and the skills that competent lawyers must possess in order to thrive within it—legal research, reasoning, and writing. Through practice, drafting and redrafting, as well as intensive individual feedback from the professor, students will learn to write and reason in the specific organizational and analytical format that the legal profession demands. As an integral part of learning this organizational and analytical method, students will also be introduced to the skills of legal research and the uniform system of citation known as the Bluebook.

LEARNING OUTCOMES AND OBJECTIVES

The goals of Lawyering Skills I are to impart in students the necessary knowledge and skills in order to enable students to:

- Understand the legal system of the United States;
- Analyze facts, issues, and legal authorities;
- Communicate effectively both in writing and orally;
- Conduct efficient and thorough legal research;
- Appreciate the objectively analytical role of the lawyer;
- Apply knowledge and skills to solve legal problems.

To that end, by the end of the course, students should develop the following skills:

- Ability to analyze legal rules as articulated by judicial opinions, statutes, and other legal authorities;
- Ability to recognize, define, and organize legal issues;
- Ability to analyze the facts of a present case and compare and contrast them to the facts in precedential cases;
- Ability to locate authority;
- Ability to understand the hierarchy of authority;
- Ability to update authority;
- Ability to integrate authority appropriately into written work;
- Ability to synthesize legal rules, combining information from several authorities;
- Ability to apply legal principles to the facts of a present case;
- Ability to present an objective legal analysis in writing and orally;
- Ability to write within the organizational format expected by the legal profession;
- Ability to present legal information orally to supervisors and colleagues;
- Ability to use correct grammar, syntax, diction, and punctuation;
- Ability to write with clarity, precision, and concision;
- Ability to use proper citation.

**GRADING**

Lawyering Skills I is a letter-graded course based on the following assignments:

<table>
<thead>
<tr>
<th>ASSIGNMENTS</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Self-Reflection Assignment (completion assignment)</td>
<td>10</td>
</tr>
<tr>
<td>Partial Closed Office Memorandum (completion assignment)</td>
<td>50</td>
</tr>
<tr>
<td>Final Closed Office Memorandum (graded assignment)</td>
<td>250</td>
</tr>
<tr>
<td>Open Office Memorandum Research Assignment (graded assignment)</td>
<td>50</td>
</tr>
<tr>
<td>Report to Partner (completion assignment)</td>
<td>25</td>
</tr>
<tr>
<td>Open Office Memorandum (graded assignment)</td>
<td>440</td>
</tr>
<tr>
<td>Interactive Citation Workstation (ICW) Exercises (graded assignment)</td>
<td>50</td>
</tr>
<tr>
<td>Bluebook Exam</td>
<td>50</td>
</tr>
<tr>
<td>(a student must receive a 60% or better on the exam to receive credit)</td>
<td></td>
</tr>
<tr>
<td>Multistate Performance Exercise (completion assignment)</td>
<td>25</td>
</tr>
<tr>
<td>Class Participation/Professionalism</td>
<td>50</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1000</strong></td>
</tr>
</tbody>
</table>
Individual assignments will be assigned point totals (with all assignments totaling 1,000 points). There are two types of assignments: (1) **completion** assignments; and (2) **graded** assignments.

For completion assignments, students will generally receive all points if showing a good-faith effort in completing the assignment and satisfying the minimum requirements for the assignment. A “good-faith effort” is the equivalent to a “Satisfactory” grade on a S/U scale. If I determine a student has not demonstrated a good-faith effort or if a student fails to satisfy the minimum requirements for a completion assignment—the equivalent to an “Unsatisfactory” grade on a S/U scale—the student will lose all points allocated for that particular assignment as indicated above. For graded assignments, points will vary by individual student performance.

To pass the course, students must complete **all** assignments. You must notify me as soon as possible if an emergency will cause you to miss a deadline. If requested before the due date and time, extensions may be granted in extenuating circumstances, which must be properly documented. Extenuating circumstances include, but are not limited to, serious illness, injury, or hospitalization of the student or a close family member. Please note that under no circumstance will computer failure, parking problems, or bad weather count as extenuating circumstances.

Late assignments will be penalized as outlined in the **Deadlines and Penalties** section below.

**DEADLINES AND PENALTIES**

For an assignment to be timely submitted, the assignment must be uploaded to TWEN’s Dropbox on or before the assignment’s deadline. Unless otherwise indicated, **assignments are due at the time class is scheduled to begin—1:00 p.m.** Late assignments, regardless of whether the assignment is a completion or a graded assignment, will be penalized as follows:

- One second to fifteen minutes late — 5%
- Fifteen minutes, one second to eight hours late — 10%
- Eight hours, one second to 24 hours late — 25%
- 24 hours, one second to 48 hours late — 50%

**NO** assignment will be accepted after 48 hours, resulting in a failing grade. Please note the late penalties are based on the total points available for the assignment, **not** the points a particular student earns. Penalties will be rounded up to the nearest whole number.

**ANONYMOUS GRADING**

All major written assignments will be graded anonymously. These assignments are: (1) the partial closed office memorandum; (2) the final closed office memorandum; and (3) the open office memorandum. Anonymous grading means TWEN will randomly assign your submission a blind grading number, and I will not know whose paper I am grading until the grade has been determined and released. To preserve the integrity of the anonymous grading process, please **DO NOT** include any identifying information on the three writing assignments identified in this section.
GRADE CHANGES

**NO** grade will be changed unless there is a mathematical error in computing the grade.

MAJOR WRITTEN ASSIGNMENTS

Students will complete the following major written assignments: (1) a partial closed office memorandum; (2) a final closed office memorandum; and (3) an open office memorandum.

The partial closed memorandum is “closed” because the universe of legal authorities will be provided to you. The memorandum is partial because you will be responsible for completing the Discussion section of the memorandum only. The final closed office memorandum will be a complete and revised office memorandum that must include all sections of a legal memo.

The final major written assignment for the semester will be the open office memorandum. Students will perform their own research for the entire assignment and will learn to integrate the fruits of their research into written legal analysis. Students will also present their research and preliminary legal analysis to the professor orally during the Report to Partner meetings.

GENERAL FORMAT FOR WRITTEN ASSIGNMENTS

Unless otherwise instructed, all work should be submitted using TWEN’s Dropbox. In addition, the work should be in Microsoft Word, Times New Roman, 12-point font. Except for block quotations, headings, and footnotes, the text should be double-spaced. The page size must be 8 ½ inches by 11 inches. The margins must be 1 inch on all sides. All pages must be numbered after the first page. Please put page numbers in the footers, centered at the bottom of each page.

COLLABORATION POLICY FOR WRITTEN ASSIGNMENTS

The collaboration policy for this course encourages a cooperative and supportive academic environment while ensuring that all students learn the essential skills taught in the course. The collaboration policy levels the playing field between students whose friends or family members are attorneys or writers and students without these connections. In many respects, the collaboration policy reflects the real world, where attorneys frequently must work alone because of staffing limitations and time constraints.

For certain assignments, you will be permitted to work with other students in your Lawyering Skills I section. The degree of collaboration that is permitted will vary by assignment, and you must follow the instructions about collaboration for each individual assignment. I will give specific instructions in class.

Other than authorized collaboration with members of this Lawyering Skills I section, you are not permitted to obtain help in writing or editing an assignment from anyone else, including parents, siblings, and spouses. You can always seek assistance from me or the Teaching Assistants for the course. Be advised, however, that while the Teaching Assistants are available to assist you in
developing the necessary research and writing skills, they will not tell anyone what the analysis should be, nor will they edit your assignments.

**PLAGIARISM**

Unless otherwise instructed, all work submitted for this course must be your own. Plagiarism includes, among other things, taking the literary property of another, passing it off as your own without appropriate attribution, and reaping from its use any benefit from an academic institution. Plagiarism will result in a failing grade on the assignment and could result in failing the course.

**UNIVERSITY OF NORTH DAKOTA SCHOOL OF LAW HONOR CODE**

The University of North Dakota School of Law Honor Code applies to all aspects of this course. Please refer to the *Honor Code* for further details.

**ATTENDANCE POLICY**

Attendance is mandatory.

I will take attendance at the beginning of each class. You must be present—at your seat and ready to be fully engaged in the class session—to be counted as present. Barring mitigating circumstances, I reserve the right to mark a student as absent if the student is late for class, is unprepared when called upon, or leaves class early. Please note that more than two unexcused absences for the semester will significantly impact your final grade for the course and may result in being administratively withdrawn from the course.

If you do need to miss class, please arrange to get notes from a colleague or two, review the Power Point presentation slides posted on TWEN, and come to see me with specific questions about what we covered in class that day. Please note you will still be responsible for any assignments due that day.

**CLASS PARTICIPATION**

Class participation is mandatory.

Just as preparation is essential for any successful lawyer, so is class preparation essential for you. I expect you to come to class prepared and eager to engage in a constructive and critical discussion of the assigned material. To earn the full points for Class Participation and Professionalism, you must demonstrate excellent and consistent participation in class discussions throughout the semester. Note that you will not receive points for merely speaking frequently.

During class, I may call on students at random or I may ask for volunteers. If you are unprepared, I ask that, out of respect for your classmates, you do not waste class time struggling to “fake” your way through the material. Rather, you should simply “pass.” Being unprepared
for class, however, will affect your participation grade, may result in being marked as absent, and will most certainly put you at the top of my list for the next class session or more.

PROFESSIONALISM

As future attorneys, I expect you to conduct yourselves in class and outside of class in a professional and civil manner. Professionalism includes behaving in a mature, courteous manner towards law school classmates, staff, and faculty. Professionalism also includes complying with instructions and course policies, as would be expected in a work environment. Excessive talking or other distracting behavior during class is considered unprofessional. I will deduct Class Participation and Professionalism points for failure to act in a professional manner.

TECHNOLOGY POLICY

Laptops and Cell Phones. Cell phones are prohibited. Laptops should be used for class purposes only. Students may be dismissed from class for inappropriate laptop use and marked as absent. Using laptops during class is a privilege, and I reserve the right to ban laptops for the remainder of the semester if laptops are used in an inappropriate manner.

Recording Prohibited. No student may record via any medium any class without advance written permission from me. In the event permission to record is granted, the recording is for the sole use of the student to whom permission is granted; no reproduction or distribution is permitted.

SOCIAL POLICY

I cannot accept Facebook, Instagram, LinkedIn, or other social networking requests from current University of North Dakota School of Law students. This policy has been put in place to ensure fair treatment to all students.

SPECIAL ACCOMMODATIONS

Please contact Assistant Dean for Student Life Brad Parrish immediately if you have a physical or learning disability that needs to be accommodated. You may also contact the University’s Disability Services for Students for support. Please visit http://und.edu/disability-services/ for more information. This memorandum and other class materials are available in alternative format upon request.