

SOLVING LEGAL PROBLEMS

Course Information and Policies

Required Texts: Materials will be provided in class. Students are responsible for organizing their own materials and ensuring they have the necessary documents for each class. It is recommended that students put each practice exam in a tabbed 3-ring binder.

Course Objectives: There are five main objectives for this course. They are:

1. To familiarize you with the performance test portion of the California Bar Examination;
2. To further your skills in case synthesis and case analysis;
3. To further your skills in fact gathering and factual application;
4. To expose you to a broad range of documents lawyers can be expected to prepare; and
5. To give you a better understanding of the multiple roles an attorney assumes in practice such as that of fact-gatherer, problem solver, negotiator, litigator and counselor.

Course Methodology: The course uses past performance examinations and supplemental materials to teach the skills necessary to attain the above objectives. When working with the performance tests, you will be given instructions, a client file and a library of authorities. You will be asked to prepare some type of document using those materials.

During the semester, we will discuss the various types of documents you might be asked to prepare on the examination and in practice. We will also discuss the strategies, skills and methodologies necessary for preparing those documents.

To facilitate your understanding, the course is organized into three units. We spend approximately three weeks discussing and working with documents that have an analytical (objective) or fact-gathering component to them. We will spend approximately three weeks discussing and working with documents that have a persuasive component to them. We will spend approximately four weeks focusing on documents that do not fall neatly into either category and which include wills, contracts, statutes, etc.

There is no substitute for learning to take a performance examination or learning to prepare legal documents. To develop test-taking skills, you must actually take the exam under test conditions. Therefore, as we complete each unit, you will take a

three-hour examination in class that will require you to prepare all types of documents that we have discussed to date. You will also have assignments in which you will be expected to take a performance examination at home, under test conditions. However, to gain an understanding of the particular legal document involved, you must actually prepare the document. Thus, when you are doing the homework assignments, even if you exceed the three-hour time limited allotted for the examination, you must still continue until you have completed the task you are assigned.

You may not obtain assistance from anyone in preparing any of the assigned exercises or in-class examinations. You must assess your own strengths and weaknesses. Once you have completed the homework assignments, you may meet in groups to review a sample answer and discuss it. After you have taken an in-class examination, you may not discuss it with anyone until the exams are handed back to you.

Class Preparation:

If you are unprepared, you will be treated as absent for that day. You will be automatically withdrawn from the course if you are unprepared on two occasions. You must do all of the required work for each class in advance of that class. Assignments may be written or typed.

If you are typing your assignments, they must be uploaded to TWEN each week **before the start of each class session**. You must also bring one copy of each assignment to class on the day it is due, as we will review the homework in-class. If you choose to handwrite your assignments, you need only bring one copy to class.

Your grade will not be reduced, nor will you be withdrawn from the course, simply because you venture an incorrect answer during class discussion, unless the answer, and/or your work product reflect inadequate effort and preparation. You may be excused from participating once during the semester for any reason by requesting an excuse **prior to the start of class that day**. While you may be excused from participating that day, if you have not completed the homework assignment for that day, you will still receive a 0.

Course Grading:

Your grade is based on the points you accumulate over the course of the semester, out of a total of 500 points. This course does not include a midterm or final examination.

You will take four three-hour in-class performance examinations during the semester, each of which is worth 100 points. You are

required to take the examinations at the time offered. If you cannot take an examination during its regular administration, or require accommodations, please consult the professor well in advance.

Your weekly class assignments account for 100 points, total. If you are absent on a day that a class assignment is collected, it is your responsibility to ensure that the professor receives the assignment that was due that day.

Course Participation:

Legal education is a cooperative venture, and individuals who practice law must be able to orally communicate their ideas. Therefore, class participation is mandatory. You may request one excuse during the semester for not participating in a class discussion for any reason if you request that excuse from me **prior to the commencement of that class.**

I intend to adjust your final course grade based on class participation and performance as follows:

1. Extraordinary Participation: up to 2 points upwards for student whose class performance is in that category (2.7 → 2.9)
2. Above Average Participation: up to 1 point upwards for student whose class performance is in that category (2.4 → 2.5)
3. Average Level Participation: no push or pull points
4. Below-Average Participation: one point downward for student whose class performance is in that category (2.7 → 2.6)

Attendance:

A class attendance sheet will be circulated at each session. If you arrive late or leave the class early (without express permission), you will be considered absent for that session. If you miss more than 2 classes during the semester, you may be withdrawn from the class in compliance with ABA and WSU attendance requirements.

Seating Chart:

I will distribute a seating chart at the beginning of the first class. Please print your name in the space reflecting the seat you have chosen for the semester.

Office Hours:

I will attempt to hold office hours before every class in which we do not take an exam. Please email me by 5:00 p.m. Friday evening if you wish to meet before class on Saturday morning. If you need to make other arrangements to meet, let me know and we can attempt to schedule a different day/time.

Email/First Sign-In:

From time to time, I may send emails that will contain pertinent information related to the course or changes to the course syllabus or assignments. I will distribute an email list along with the first attendance sheet. Please be sure to provide an email address that is up-to-date and that you check regularly. It is your responsibility to check this email regularly and adhere to the instructions and/or changes to the syllabus and assignments as provided for therein.

Laptop Computers:

You may use your laptop during class unless you are expressly instructed otherwise. Most often, I will instruct you to close your laptop for the first 90 minutes of each in-class exercise, such that you get sufficient practice with outlining.

If you choose to type your exams, be forewarned that unforeseen Acts of God may occur. Should a loss of power occur, you must be prepared to switch to handwriting your exam.

Modification to Syllabus/
Policies:

I fully anticipate that we will need to adjust the syllabus based on the progress of the class and the areas in which you (and I) feel additional time is needed. I therefore reserve the right to modify assignment materials from the syllabus and the policies stated herein dependent on the pace of our progress, student performance, or the need to modify in order to better suit the course and program.