

Solving Legal Problems

Summer 2015, 227A

Professor Sarah Eggleston

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Course Syllabus / Policies

This class meets once per week during the semester. Your final grade is a mix of your homework, exams, and class participation. You are expected to fully participate in in-class and out-of-class assignments, including all homework assignments. Homework consists of both the outline and written product and must be completed and turned in for the week that they are due. You will take 4 in-class 3-hour performance tests throughout the semester, the last 3 of which will be used in determining your final grade. Please be prepared with your exam number, and ExamSoft, if used, in advance of the third exam on March 31st. There is no final exam.

Because this class meant to help students refine skills, I reserve the right to modify assignments, deadlines, and guidelines, throughout the semester.

Required Texts

In-Class-Use and Homework materials will be provided by the Instructor.

Course Objectives

The five main objectives for this course are:

- To familiarize you with the performance test portion of the California Bar Examination;
- To further your skills in case synthesis and case analysis;
- To further your skills in fact gathering and factual application; and
- To expose you to a broad range of documents a lawyer can be expected to prepare; and the multiple roles an attorney assumes in practice.

Course Methodology

The course uses past performance examinations and supplemental materials to teach the skills necessary to attain the above objectives. During the semester, we will use these past exams to discuss and prepare the various types of documents you may be asked to prepare while taking the California Bar Examination. We will also discuss the strategies, skills, and methodologies necessary for preparing those documents. But most of all, this is an interactive class. You are expected to participate and be fully prepared for each class.

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. There, as we complete each unit, you will take a 3-hour exam in class that will require you to prepare the types of documents that we have discussed to date.

Homework

To fully prepare you for any possibility, your homework will build on skills learned in class. The only way to get better, is to practice. PRACTICE A LOT. You will practice through giving

your homework a good faith effort every time. Homework is used to calculate your raw score grade as well as your class participation grade, so PRACTICE A LOT.

For full-credit, a paper copy of the homework, consisting of the written assignment and accompanying outline, must be turned in at the start of the class in which it is due. If you turn in a good-faith-effort homework assignment, with outline, at the beginning of class, you will receive 1 pt. If the homework assignment/outline is turned in anytime after the start of the class in which it is due, ½ point will be given. If it is not turned in at all, it will have a negative effect and may be worth -1 point. Also, if I feel that you have not given your homework a good-faith-effort, you may receive no credit for that assignment. If you are absent on a day that a class assignment is collected, it is your responsibility to ensure that the professor receives your assignment on time.

Be sure to bring 2 copies of each completed assignment to class. One must be printed as it will be turned in for your homework grade. The other copy may be used for in-class discussion and may be either printed or electronic. Be sure your name is on each page of your homework.

Assignments may be either typed or written. It is highly recommended that if you will be typing the Bar Examination, all your assignments be typed and vice-versa. Regardless of whether you are a typer or hand-writer, your outlines must be handwritten and turned in with each assignment.

Grading

Your grade is based on the points you accumulate over the course of the semester. This course does not include a mid-term or final examination, but instead uses examinations spread out over the entire semester.

Your grade is a combination of your exam scores and homework score. Each of the 3 graded exams given will be graded on a scale of 100 points. You're required to take each of the exams at the date and time listed on the syllabus. If you require special accommodations, please consult with me or contact Jacqueline Alvarino well in advance. See also the Disability Services Statement following.

Your lowest exam score will be used to calculate your homework score. At the end of the class, your homework points will be tallied and added to your lowest exam score. This will then become your homework score for the class.

Participation

Legal education is a cooperative venture, and individuals who practice law must be able to work with others and orally communicate their ideas. Therefore, class participation is mandatory. Your final grade may be affected by class attendance, homework completion, and your participation in class activities. If it is extraordinary, a .2 bump upward (e.g. 2.7 to 2.9) is possible, and if it is below average, it may have a downward effect of up to .1 (e.g. 2.7 to 2.6).

Attendance is an integral part of class participation. An attendance sheet will be circulated at each class. If you arrive late or leave early without permission from the professor, you may be considered absent from that class. Per WSU requirements, if you miss more than 2 classes during the semester, you may be withdrawn from the course.

Modification to Syllabus

I reserve the right to modify assignment materials or the syllabus dependent upon the pace of our progress, student performance, or need to better suit the course and program.

Office Hours / Appointments

As I work regularly on campus, I am almost always available to meet with students on an individual basis. My schedule is flexible, so please just see me at the Library or email me about setting up an appointment.

Disability Services Statement

Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Second Floor Students Services Suite. Dean Espinoza's phone number and email address are: (714) 459-1117; despinoza@wsulaw.edu. When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Associate Dean of Students Charles Sheppard at csheppard@wsulaw.edu or (714) 459-1152. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."

Class	Topics	Assignments Due
Class #1 June 2nd	<ul style="list-style-type: none"> * Introductions * Learning about the Performance Test (Why, What, How) * Beginning the Process – What makes a passing answer... 	*No Assignment Due
Class #2 June 4th	<ul style="list-style-type: none"> * Learning the Process / Big Picture: two major types of exams, approaches, timing, outlining, and answers. * Review <i>Tehama County v. TeePee Campground</i> 	*<i>Tehama County v. TeePee Campground</i>
Class #3 June 9th	<ul style="list-style-type: none"> * Review <i>Snyder v. UC Regents</i> * Refining some parts of the Process: integrating library & file, fact analysis. 	*<i>Snyder v. UC Regents</i>
Class #4 June 11th	<ul style="list-style-type: none"> * Review <i>Doral Digestive v. Harris</i> * Integrating facts into your answer; strategies 	*<i>Doral Digestive v. Harris</i>
Class #5 June 16th	<ul style="list-style-type: none"> *Review <i>People v. Draper</i> *Review of objective tests; headings; writing critiques 	*<i>People v. Draper</i>
Class #6 June 18th	Learning Exam	*No Assignment Due
Class #7 June 23rd	<ul style="list-style-type: none"> *Review <i>Learning Exam</i> and <i>In Re Yamata Logging</i> *Objective v. Persuasive Exams *Individual Meetings (Review Learning Exam and Strategies for Going Forward) 	*<i>In Re Yamata Logging</i>
Class #8 June 25th	<ul style="list-style-type: none"> *Review <i>In Re Santos</i> *Writing Persuasive Exams; Fact Integration 	*<i>In Re Santos</i>
Class #9 June 30th	Graded Exam #1	*No Assignment Due
Class #10 July 2nd	<ul style="list-style-type: none"> * Review <i>Graded Exam #1</i> * Review <i>State v. Dolan</i> * Opening Statements / Closing Arguments exercise 	*<i>State v. Dolan</i>

Class #11 July 7th	Graded Exam #2	<i>*Zwier v. Seaquest</i>
Class #12 July 9th	* Review <i>Zwier v. Seaquest</i> * Review <i>Peabody v. Middleton</i> * Odd-Ball Tasks	<i>* Peabody v. Middleton</i>
Class #13 July 14th	Graded Exam #3	<i>* In Re Winstons</i>
Class #14 July 16th	* Review <i>Graded Exam #3 & In Re Winstons</i> * Big Review / Creating the Notebook	*No Assignment Due