

SOLVING LEGAL PROBLEMS 227D Prof. Tori Wood

Course Information and Policies

Required Texts: Materials will be provided in class. Students are responsible for organizing the course materials. Students must bring the materials required for class as indicated in the syllabus.

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 four 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 do any of the assigned exercises or in-class examinations with any assistance from anyone. 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. The Professor may collect any assignment on any given week – therefore your exam number is the only identifier to be placed on your assignments. Assignments may be written or typed.

You will not have your grade reduced, nor 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.

Class assignments discussed above account for 100 points of the total. 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 that day in class.

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. Each student's performance will be graded as noted below:

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 from the Professor), 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:

A seating chart will be distributed 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:

If you would like to meet with me, I will have office hours before every class in which an exam is not being held on Tuesday. Please email me 48 hours in advance so that I may adjust my schedule to ensure I am available to meet with you. I am also willing to meet with you after class.

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.

Modification to Syllabus/
Policies:

I 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.