

4. To understand the interplay amongst the statutory framework of domestic violence law.
5. To understand the roles of the justice partners within and outside of the justice system.
6. To improve oral argument skills.
7. To utilize the analytical and advocacy skills in a legal research paper of publishable quality.

GENERAL GUIDELINES AND GRADE DISTRIBUTION

This class is designed to satisfy the Western State College of Law (WSCL) upper level writing requirement (ULWR), which is based on guidelines established by the American Bar Association. Your final grade will be based on an outline (10%), class participation & professionalism (20%), and a 15-20 page research paper of publishable quality (70%).

You will work on the research paper throughout the semester. In a WSCL ULWR course, you must earn a 2.0 or higher on the research paper to obtain ULWR credit.

CLASS ATTENDANCE AND PARTICIPATION

Students are expected to be present and ready to participate at each class and to stay for the entire class. A late arrival or early departure may be treated as an absence. You must be prepared to meaningfully participate in each class. This class is most productive (and fun) if you have read the required material and thought about it before class, and are willing to discuss it together. All viewpoints are welcome. I will be providing guest speakers throughout the course, which will afford a unique opportunity to engage with practitioners in the field. I may also from time to time assign additional reading in the form of short current event or scholarly articles. We will be fortunate to have a relatively small number of students, which will allow this seminar to incorporate a great deal of participation and flexibility in attaining our objectives. The class participation & professionalism component of your final grade will be based on your preparation for class, class attendance, punctuality, class participation, a group in-class presentation, and overall professionalism. It is estimated that, on average, the assigned reading and other classroom preparation should require six or more hours outside of class per week. Some weeks classroom preparation will require more preparation than others depending on the assigned reading or assignment due.

A student who misses more than two class sessions will be withdrawn from the class pursuant to WSU's academic policy and the provisions set forth in the Student Handbook.

Please turn off or silence your cell phones during class and feel free to use your computer in the classroom in accordance with WSU computer use policy.

GROUP PRESENTATIONS

Every student must sign-up for, and participate in, a presentation of a topic to the class. Groups must be comprised of one or two people. On the first day of class, I will pass out a sign-up sheet. The topics and dates correspond with the syllabus and have an asterisk next to them, so please look through the text and start thinking about what topic you would be most interested in presenting. Generally speaking, students will present for the first hour, and I will present the rest of the class. The schedule may sometimes be interrupted by guest speakers. Please be creative with your presentations. You may, of course, utilize the information in the text and any outside sources. You are encouraged to “think outside the box” and present with various media formats.

FORMAT REQUIREMENTS AND POLICY FOR LATE ASSIGNMENTS

Written assignments must conform to the following requirements:

- (1) Typewritten, double-spaced, Times New Roman or Tahoma 12-point font, with footnotes in 10-point font.
- (2) One-inch margins for the top, bottom, left and right margins. Note that if you are using Microsoft Word, you must set the margins to one-inch each, as the default setting for the left and right margins is 1.25 inches.
- (3) Each page must contain your name and page number in either the header or footer.
- (4) The final version of your paper must contain citations that conform to the Bluebook 20th edition format. Footnotes are required. No endnotes.

Unless otherwise instructed, all assignments are to be submitted at the start of class. Your final paper will be uploaded to Safe Assign via the course Lexis Blackboard, as well as submitted as a date/time-stamped hardcopy to my inbox on the first floor. As a professional, you are responsible for submitting all assignments on time. A late assignment is one handed in any time after it is due, even if it is late by one minute. Penalties for lateness are as follows: (1) submitted within 24 hours after deadline: 10% grade reduction; (2) after the first 24 hours, an additional 20% grade reduction for each additional 24 hour time period in which the assignment is past due. For example, if the assignment is due on Wednesday by 6:30 p.m., then your grade on the assignment would be reduced by 10% if submitted at any time between Wednesday at 6:31 p.m. and Thursday at 6:30 p.m. The same assignment would be reduced by 30% if submitted at any time between Thursday at 6:31 p.m. and Friday at 6:30 p.m. The same assignment would be reduced by 50% if submitted at any time between Friday at 6:31 p.m. and Saturday at 6:30 p.m.

DISABILITY SERVICES STATEMENT

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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 Students Services Suite 119. 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 for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Dean Allen Easley at aeasley@wsulaw.edu or (714) 459-1168. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."

Western State College of Law – Programmatic Learning Outcomes

Western State College of Law's curriculum is designed so that every student achieves a level of competency prior to graduation in each of the eight Programmatic Learning Outcomes listed below:

(1) Doctrinal Knowledge

Students will demonstrate knowledge of substantive and procedural law in the core curriculum subjects, including Contracts, Criminal Law, Criminal Procedure, Torts, Real Property, Business Association, Evidence, Civil Procedures, Constitutional Law, Estates, Community Property, Remedies, and Professional Responsibility.

(2) Practice Skills

Students will demonstrate the development of other law practice skills. Each student's chosen outcomes within this category will be varied based on the student's particular interests, coursework and work experiences. They may include, but are not limited to, the following topics: oral presentation and advocacy; interviewing; counseling; client service and business development; negotiations, mediation, arbitration, or other alternate dispute resolution methods; advanced legal research

and writing (excluding purely academic papers and the first four units earned in introductory first-year legal research and writing class); applied legal writing such as drafting contracts, pleadings, other legal instruments; law practice management or the use of technology in law practice; cultural competency; collaboration or project management; financial analysis, such as accounting, budgeting project management, and valuation; cost benefit analysis in administrative agencies; use of technology, data analyses, or predictive coding; business strategy and behavior; pre-trial preparation, fact investigation, such as discovery, e-discovery, motion practice, assessing evidence, or utilizing experts; trial practice; professional civility and applied ethics; a law clinic that includes a classroom component; or a legal externship that includes a classroom component.

(3) Legal Analysis

Students will demonstrate the ability to identify the factual and legal issues implicated by a fact pattern and to appropriately use cases (including identifying the salient features of an appropriate precedent case, identifying legally significant similarities or differences between the precedent case and a fact pattern and explaining why those are legally significant) and rules (including the ability to connect legally significant facts in a fact pattern to the rule) to predict how a court would decide the issue. Students will also demonstrate the ability to identify and evaluate the public policies of a precedent case or rule, and be able to evaluate how public policy can impact the application of a rule to the legal issue.

(4) Legal Research

Students will demonstrate the ability to locate relevant legal authority using a variety of book and electronic resources, and to properly cite to such legal authority.

(5) Communication

Students will demonstrate the ability to communicate both orally and in writing in a manner appropriate to a particular task to effectively convey the author or speaker's ideas. This includes audience sensitivity in written and oral communication (the ability to adopt a tone, style and level of detail appropriate to the needs, knowledge and expertise of the audience); and written communication basic proficiency (the ability to use the conventions of grammar, spelling, punctuation, diction and usage appropriate to the task and sufficient to convey effectively the author's ideas).

(6) Advocacy of Legal Argument

Students will demonstrate the ability, in both oral and written formats, to evaluate the legal, economic and social strengths and weaknesses of a case and use case and statutory authority as well as public policy to persuade others. Making policy-based

arguments includes the ability to identify and evaluate the public policies of a precedent case or rule and their implications, and be able to assert such appropriate arguments to support a particular application or distinction of a precedent case to a legal controversy or a particular resolution of the application of a rule to the legal controversy.

(7) Client Sensitivity and Cultural Competency

Students will demonstrate an awareness of clients' needs and goals, including a sensitivity to clients' background and circumstances (including, but not limited to, socio-economic, gender, race, ethnicity, educational, disability and/or religious background(s)), the ability to make decisions that reflect an appropriate focus on those needs and goals, and awareness that cultural issues may affect the relevance of facts and application of the law.

(8) Legal Ethics

Students will demonstrate the ability to identify ethical issues in law practice contexts and make appropriate decisions to resolve such issues.

CLASS ASSIGNMENTS AND SCHEDULE

WEEK 1: Monday, January 27

Topic: Course Overview; History and Overview of DV; Causes, Effects, and Treatment

Read: Chapter 1, pp. 1-8, 11-13, 21-29; Chapter 2: pp. 38-48, 51-71, 75-81, 87-88, 94-97

Topic: Victims of DV as Criminal Defendants

Read: Chapter 13, pp. 653-675, 686-696, 701-707

Documentary: *Every F-ing Day of My Life*

WEEK 2: Monday, February 3

Topic: Cross-Cultural Issues: Survivors of DV Who Face Multiple Oppressions*

Read: Chapter 3

Speaker: Irene Crews – former Brea PD Detective, DV Survivor

WEEK 3: Monday, February 10

Topic: Children in Homes where DV Takes Place

Read: Chapter 7, pp. 343-347, 355-358, 365-377, 401-417

Speaker: Marissa Presley, Human Options

Topic: Battering in Gay, Lesbian, Bisexual, Transgender, and Queer Relationships*

Read: Chapter 4

WEEK 4: Tuesday, February 18 [no class Monday, February 17 – Legislative Day]

Speaker: Adam Dodge, Co-Founder EndTAB

Topic: The Writing Process: Creating an Outline and a Draft (lecture)

WEEK 5: Monday, February 24

Topic: Judges, Courts, and Sentencing Batterers

Read: Chapter 12, pp. 620-624, 641-650

Topic: Law Enforcement Response (cont'd next page)

Read: Chapter 10, pp. 497-517, 523-528, 559-563; Chapter 15: pp. 795-802

Speaker: TBA

WEEK 6: Monday, March 2

NO CLASS – LEGISLATIVE DAY

Topic: Restraining Orders

Court Visit – Sign up for a 2-hour observation this week (9am-11am) at the Lamoreaux Justice Center located at 341 The City Drive in the City of Orange

Write a 3-page paper (double-spaced) about your observations and turn in via email by Wednesday, April 29

Be prepared for airport-style screening and to pay for parking.

WEEK 7: Monday, March 9

Statement of Purpose Due

Speaker: Research Methodologies Presentation by Librarian Sarah Eggleston

WEEK 8: Monday, March 16 – NO CLASS – SPRING BREAK

WEEK 9: Monday, March 23

Office Conferences in Lieu of Class – Bring outline to conference to discuss your prepared questions

WEEK 10: Monday, March 30

Outline Due (10%)

Topic: Prosecutorial Response

Read: Chapter 11, pp. 569-574, 578-593, 614-618

Speakers: Isabel Apkarian, Deputy Public Defender; Katie Walsh, Esq. (former DV Prosecutor)

WEEK 11: Monday, April 6

Outlines Returned

