

SOUTHERN ILLINOIS UNIVERSITY SCHOOL OF LAW

Advanced Legal Methods

Fall 2023

Professor Anna M. Vick

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Office hours:

Mondays and Wednesdays 11:00 a.m to 2:00 p.m.

Tuesdays and Thursdays 10:00 a.m. to 1:00 p.m.

Fridays 9:00 a.m. to 10:30 a.m.

While the above are my dedicated office hours, feel free to stop in anytime my door is open.

Welcome! The primary goal of Advanced Legal Methods is to strengthen your legal problem-solving abilities. The course focuses on fundamental lawyering skills such as reading comprehension, rule mastery, issue spotting, outlining, the mechanics of legal analysis and strong writing. Throughout the course, you will have multiple opportunities for hands-on practice with focused drills, group exercises, and assignments to sharpen these skills. The course enhances learning by providing you with various forms of feedback to learn how to evaluate your work and see a clear pathway for consistent improvement. The course connects learning activities to law practice and, more immediately, to law school and bar exam success.

Course Objectives. You will improve your ability to:

- Think, act and communicate like a lawyer.
- Identify legal issues in beginner and more advanced legal problems and devise effective strategies for solving those problems.
- Comprehend and analyze case, statutory, and other appropriate primary and secondary legal authorities.
- Synthesize law from case, statutory, and other appropriate primary and secondary authority.
- Apply critical thinking skills to legal authorities and their application to facts to solve legal problems.
- Communicate legal reasoning and solutions to legal problems effectively in objective writing.
- Nurture a developing sense of professional identity in the context of simulated client representation.
- Appreciate how the cultural backgrounds or attributes of the course clients or witnesses may be valuable or integral to an attorney's representation.
- Employ productive academic and professional behaviors to succeed in law school and law practice.
- Students will be able to effectively employ strategies of active listening, empathy and effective allyship during classroom discussions and group work.

Books and Materials.

- Kris Franklin, *Legal Reasoning Case Files* (2nd Ed.)
- Materials found on D2L

Attendance. All school policies related to attendance and tardiness are in effect. Missing announcements, assignments, or in-class activities due to absence or tardiness may result in a loss of points. Otherwise, attendance is mandatory for all scheduled class meetings and other scheduled course activities. You are allowed a maximum of four (4) absences in Advanced Legal Methods.

Grading. You will receive a Satisfactory/Unsatisfactory grade in this course. To receive a satisfactory grade in this course you must earn a minimum of 65 pts (65%). Points in this course are determined as noted on “Advanced Legal Methods Assignment Chart”.

American Bar Association (ABA) Standard 310. Under the ABA Standards for accrediting law schools, a credit hour is, “an amount of work that reasonably approximates not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time.”

For a two-credit course such as Advanced Legal Methods, the Standard means a student must attend at least **one hundred (100) minutes** of class each week (one classroom hour = fifty (50) minutes). The ABA also requires that students in a two-credit course spend **at least four hours** on out-of-class work. Note that these are minimum requirements.

Law School Honor Code and University Code of Conduct. Both the Honor Code and the Code of Conduct apply and are in effect in this class. **Read both documents carefully and make sure you comply with both at all times. Submitting plagiarized work or any other form of work not your own, regardless of a student’s purpose or intent, is potentially subject to serious sanctions as are other academic, honor code, and conduct code offenses.** Do not consult others on the final work product you turn in. If you have any questions regarding the Honor Code, Code of Conduct or either’s application, consult me. Generally, you may discuss assignments with other students, but you may not turn in work that is not your own. The written product must be your own; you may not copy another student’s work or AI generated work and hand it in as your own.

Advanced Legal Methods Assignment Chart

Assignment	Due	Pts.
Barbri Diagnostic	Sunday, August 27, 2023 by 11:59 p.m.	6
Case Reading Checklist #1 and #2	Wednesday, August 23 by 2:30 p.m.	2
Case Briefs #1 and #2	Wednesday, August 23 by 2:30 p.m.	2
INDIVIDUAL MEETING #1	Week of August 28 th	3
Case Briefs #3 and #4	Monday, August 28 by 2:30 p.m.	2
Pre-litigation Letter (Draft)	Wednesday, August 30 by 2:30 p.m.	2
Pre-litigation Letter (Final)	Monday, September 4 by 11:59 p.m.	6
Sample Essay #1	Wednesday, September 6 by 2:30 p.m.	2
Self-assessment #1	Sunday, September 10 by 11:59 p.m.	2
Essay Exam #1	Wednesday, September 11 by 2:30 p.m.	6
Case File Notes	Monday, September 18 by 2:30 p.m.	2
Outline #1	Wednesday, September 20 by 2:30 p.m.	2
Bench Memorandum	Monday, September 25 by 4:00 p.m.	6
Sample Essay #2	Wednesday, September 27 by 2:30 p.m.	2
Self-assessment #2	Sunday, October 1 by 11:59 p.m.	2
Essay Question and Model Answer	Monday, October 2 by 2:30 p.m.	3
Peer Essay Question Answer	Monday, October 2 by 4:00 p.m.	2
Essay Exam #2	Monday, October 9 by 4:00 p.m.	6
INDIVIDUAL MEETING #2	Week of October 9 th	3
Self-assessment #3	Wednesday, October 11 by 4:00 p.m.	2
Hypothetical and Answer	Monday, October 16 by 2:30 p.m.	2
Advice Letter	Monday, October 23 by 2:30 p.m.	6
Sample Essay #3	Wednesday, October 25 by 2:30 p.m.	2
Graded Critique of Sample Essay #3	Wednesday, October 25 by 2:30 p.m.	2
Outline #2	Monday, October 30 by 2:30 p.m.	2
Essay Exam #3	Wednesday, November 1 by 4:00 p.m.	6
INDIVIDUAL MEETING #3	Week of November 6 th	3
Teaching Outline (Group Project)	Monday, November 13 by 2:30 p.m.	6
Essay Exam #4	Monday, November 27 by 4:00 p.m.	6
Practice Question (Student's Choice)	Wednesday, November 30 by 4:00 p.m.	2

ADVANCED LEGAL METHODS ACTIVITIES CHART

Weeks One through Four	Unit One: Torts	Learning Goals and Objectives: <ol style="list-style-type: none"> 1. Introduce the Course Methodology 2. Identify and precisely state the rules of law necessary to complete client matters. 3. Use case law to support and explain the rules of law. 4. Synthesize applicable law and apply it to the facts of your client's case.
Class	Readings	Assignments
<i>Week One</i> Monday, August 21, 2023 “Introduction of the Course Methodology”	<ul style="list-style-type: none"> ➤ <i>Legal Reasoning Case Files</i>, pgs. xv-xxi ➤ <i>Legal Reasoning Case Files</i>, pgs. 3-9, skim pages 10-25 	<p style="text-align: center;"><u>Due via D2L</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Complete Barbri Diagnostic by Sunday, August 27 at 11:59 p.m. <p style="text-align: center;"><u>Class Discussion</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Introduction to the course methodology <input type="checkbox"/> Reviewing the case file <input type="checkbox"/> Planning for the case file assignment <input type="checkbox"/> Best practices for reading law and cases
Wednesday, August 23, 2023	<ul style="list-style-type: none"> ➤ <i>Legal Reasoning Case Files</i>, pgs. 10-17 	<p style="text-align: center;"><u>Due</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Submit “Case Reading Checklist” for <i>Montgomery Ward & Company v. Garza</i> and <i>Wal-Mart Stores, Inc. v. Resendez</i> by Wednesday, August 23 at 2:30 p.m. <input type="checkbox"/> Submit Case Briefs for <i>Montgomery Ward & Company v. Garza</i> and <i>Wal-Mart Stores, Inc. v. Resendez</i> by Wednesday, August 23 at 2:30 p.m. <input type="checkbox"/> Sign up for individual meeting #1

		<p style="text-align: center;"><u>Class Discussion</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Case briefing Part I <input type="checkbox"/> Outlining Part I <input type="checkbox"/> Rule Synthesis Part I
<p><i>Week Two</i></p> <p>Monday, August 28, 2023</p>	<p>➤ <i>Legal Reasoning Case Files</i>, pgs. 17-25</p> <p>Individual Meeting #1</p>	<p style="text-align: center;"><u>Due</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Submit case briefs for <i>Dillard Department Stores, Inc. v. Silva</i> and <i>Riley v. Wilbanks</i> via D21 by Monday, August 28 at 2:30 p.m. <input type="checkbox"/> Attend Individual Meeting #1 <p style="text-align: center;"><u>Class Discussion</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Case briefing Part II <input type="checkbox"/> Outlining Part II <input type="checkbox"/> Rule Synthesis Part II <input type="checkbox"/> Application of rules to facts of the case
<p>Wednesday, August 30, 2023</p>	<p>➤ <i>Legal Reasoning Case Files</i>, pgs. 25-34</p> <p>Individual Meeting #1</p>	<p style="text-align: center;"><u>Due</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Submit rough draft of <i>Pre-litigation Demand Letter</i> by Wednesday, August 30 at 2:30 p.m. <input type="checkbox"/> Attend Individual Meeting #1 <p style="text-align: center;"><u>Class Discussion</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> All students will share portions of their rough draft in class for peer review.
<p><i>Week Three</i></p>	<p>No Class</p>	<p style="text-align: center;"><u>Due</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Submit final <i>Pre-litigation Demand Letter</i> by Monday, September 4 at 11:59 p.m.

Monday, September 4, 2023		
<i>Labor Day— No Class</i>		
Wednesday, September 6, 2023	➤ <i>Legal Reasoning Case Files</i> , pgs. 34-37 (read and complete the essay on page 35 then read the rest of 35-37)	<p style="text-align: center;"><u>Due</u></p> <p><input type="checkbox"/> Submit sample essay exam question by Wednesday, September 6 at 2:30 p.m.</p> <p style="text-align: center;"><u>Class Discussion</u></p> <p><input type="checkbox"/> Preparing for essay exams <input type="checkbox"/> Multiple choice skills</p>
<i>Week Four</i> Monday, September 11, 2023	➤ <i>Legal Reasoning Case Files</i> , pgs. 38-39	<p style="text-align: center;"><u>Due</u></p> <p><input type="checkbox"/> Submit Self-assessment of <i>Pre-litigation Demand Letter</i> by Sunday, September 10 at 11:59 p.m.</p> <p style="text-align: center;"><u>Class Discussion</u></p> <p><input type="checkbox"/> Learning from the self-assessment</p>
Wednesday, September 13, 2023	➤ No additional readings. Review materials for essay exam.	<p style="text-align: center;"><u>Due</u></p> <p><input type="checkbox"/> Submit torts essay exam by Wednesday, September 11 at 2:30 p.m.</p> <p style="text-align: center;"><u>Class Discussion</u></p> <p><input type="checkbox"/> Review of torts essay exam answer</p>
Weeks Five through Eight	Unit Two: Contracts	<p style="text-align: center;">Learning Goals and Objectives:</p> <ol style="list-style-type: none"> Hone rule-based reasoning skills Extract Legal Rules from Primary Sources Explain legal reasoning effectively for the intended audience Understand how policy shapes legal rules and how these rules might be applied to ambiguous facts.
<i>Week Five</i> Monday, September 18, 2023	➤ <i>Legal Reasoning Case Files</i> , pgs.41-56	<p style="text-align: center;"><u>Due</u></p> <p><input type="checkbox"/> Submit case file notes by Monday, September 18 at 2:30 p.m.</p>

		<p style="text-align: center;"><u>Class Discussion</u></p> <p><input type="checkbox"/> Oral presentation of the case file Part I (Facts and Rules)</p>
Wednesday, September 20, 2023	<p>➤ <i>Legal Reasoning Case Files</i>, pgs. 57-72</p>	<p style="text-align: center;"><u>Due</u></p> <p><input type="checkbox"/> Submit complete outline of all the relevant law in the case file, by Wednesday, September 20 at 2:30 p.m.</p> <p style="text-align: center;"><u>Class Discussion</u></p> <p><input type="checkbox"/> Oral presentation of the case file Part II (Rules and Explanation)</p>
Week Six Monday, September 25, 2023	<p>➤ <i>Legal Reasoning Case Files</i>, pgs. 73-79</p> <p>No Class Today</p>	<p style="text-align: center;"><u>Due</u></p> <p><input type="checkbox"/> Submit <i>Bench Memorandum</i> by Monday, September 25 at 4:00 p.m.</p> <p style="text-align: center;"><u>Class Discussion</u></p> <p><input type="checkbox"/> No class today</p>
Wednesday, September 27, 2023	<p>➤ <i>Legal Reasoning Case Files</i>, pgs. 79-85 (read and complete the essay question on page 80 then read the remaining pages)</p>	<p style="text-align: center;"><u>Due</u></p> <p><input type="checkbox"/> Submit essay question by Wednesday, September 27 at 2:30 p.m.</p> <p><input type="checkbox"/> Submit self-assessment of <i>Bench Memorandum</i> by Sunday, October 1 at 11:59 p.m.</p> <p style="text-align: center;"><u>Class Discussion</u></p> <p><input type="checkbox"/> Using cases and practice essays to draft new hypotheticals</p>
Week Seven Monday, October 2, 2023	<p>➤ No additional readings for class, but bring a hard copy of your essay question and model answer to class</p>	<p style="text-align: center;"><u>Due</u></p> <p><input type="checkbox"/> Submit your own essay question and model answer by Monday, October 2 at 2:30 p.m.</p> <p><input type="checkbox"/> Submit answer to essay questions by Monday, October 2 at 4:00 p.m.</p> <p><input type="checkbox"/> Sign up for individual meeting #2</p> <p style="text-align: center;"><u>Class Discussion</u></p> <p><input type="checkbox"/> Students will exchange and answer essay questions in class</p>

Wednesday, October 4, 2023	➤ No additional reading	<u>Class Discussion</u> <input type="checkbox"/> Review of peer essay questions and answers
Week Eight Monday, October 9, 2023	➤ No additional reading Individual Meeting #2	<u>Due</u> <input type="checkbox"/> Submit contracts essay exam by Monday, October 9 at 4:00 p.m. <u>Class Discussion</u> <input type="checkbox"/> No class today
Wednesday, October 11, 2023	➤ <i>Legal Reasoning Case Files</i> , pgs. Individual Meeting #2	<u>Due</u> <input type="checkbox"/> Submit self-assessment of contracts essay exam by Wednesday, October 11 at 4:00 p.m. <u>Class Discussion</u> <input type="checkbox"/> Review of essay question (excerpts of student answers will be anonymously shared in class)
Weeks Nine through Twelve	Unit Three: Property	Learning Goals and Objectives 1. Think conceptually about law 2. Use counterarguments and policy to deepen understanding of the rules 3. Further refine legal reading skills 4. Look critically at legal authority 5. Adapt legal analysis to genre of lawyers' writing
Week Nine Monday, October 16, 2023	➤ <i>Legal Reasoning Case Files</i> , pgs.131-154	<u>Due</u> <input type="checkbox"/> Submit an original hypothetical along with answer (based on the case file) by Monday, October 16 at 2:30 p.m. <u>Class Discussion</u> <input type="checkbox"/> Creating and answering hypotheticals to better learn the law <input type="checkbox"/> Using hypotheticals to explain the law to your client
Wednesday, October 18, 2023	➤ <i>Legal Reasoning Case Files</i> , pgs. 155-160	<u>Class Discussion</u> <input type="checkbox"/> Counterarguments <input type="checkbox"/> Assessing the strengths and weaknesses of a case <input type="checkbox"/> Communicating effectively with your client
Week Ten Monday, October 23, 2023	➤ No additional reading	<u>Due</u> <input type="checkbox"/> Submit <i>Advice Letter</i> by Monday, October 23 at 2:30 p.m. <u>Class Discussion</u>

		<input type="checkbox"/> Critiquing a sample advice letter
Wednesday, October 25, 2023	➤ <i>Legal Reasoning Case Files</i> , pgs.161-164	<p style="text-align: center;"><u>Due</u></p> <input type="checkbox"/> Submit sample essay question by Wednesday, October 25 at 2:30 p.m. <input type="checkbox"/> Submit graded critique of sample essay answer by Wednesday, October 25 at 2:30 p.m. <p style="text-align: center;"><u>Class Discussion</u></p> <input type="checkbox"/> Sample essay review
Week Eleven Monday, October 30, 2023	➤ No additional reading	<p style="text-align: center;"><u>Due</u></p> <input type="checkbox"/> Submit outline of relevant law in case file by Monday, October 30 at 2:30 p.m. <p style="text-align: center;"><u>Class Discussion</u></p> <input type="checkbox"/> How to make outlines work for you—attack outlines, checklists, and more...
Wednesday, November 1, 2023	➤ No class today	<p style="text-align: center;"><u>Due</u></p> <input type="checkbox"/> Submit property essay by Wednesday, November 1 at 4:00 p.m. <input type="checkbox"/> Sign up for Individual Meeting #3 <p style="text-align: center;"><u>Class Discussion</u></p> <input type="checkbox"/> No Class Today
Week Twelve Mondays, November 6, 2023	➤ No additional reading	<p style="text-align: center;"><u>Due</u></p> <input type="checkbox"/> Sign up for “teaching topic” with partner by Wednesday, November 8 at 11:59 p.m. <p style="text-align: center;"><u>Class Discussion</u></p> <input type="checkbox"/> Review of property essay
Wednesday, November 8, 2023	➤ No class today Individual Meeting #3	No class today Individual Meeting #3
Weeks Thirteen through Fifteen	Unit Four: Final Exams	<p style="text-align: center;">Learning Goals and Objectives:</p> <ol style="list-style-type: none"> 1. Reinforce “legal analysis= rules applied to facts explained” 2. Use the skills gained in this course to succeed on final exams
Week Thirteen Monday, November 13, 2023	➤ Pick a topic from any one of your other courses	<p style="text-align: center;"><u>Due</u></p> <input type="checkbox"/> Submit teaching outline by Monday, November 13 at 2:30 p.m. <p style="text-align: center;"><u>Class Discussion</u></p> <input type="checkbox"/> Teaching the law as a way of learning Part I

Wednesday, November 15, 2023	➤ No additional readings	<u>Class Discussion</u> <input type="checkbox"/> Teaching the law as a way of learning Part II <input type="checkbox"/> Course wrap up
<i>Week Fourteen</i> Monday, November 20, 2023 <i>Holiday—No Class</i>		
Wednesday, November 21, 2023 <i>Holiday—No Class</i>		
<i>Week Fifteen</i> Monday, November 27, 2023		<u>Due</u> <input type="checkbox"/> FINAL EXAM DURING REGULARLY SCHEDULED CLASS TIME
Wednesday, November 30, 2023		<u>Due</u> <input type="checkbox"/> Submit practice question from a course of your choosing by Wednesday, November 30 at 4:00 p.m.

SYLLABUS ATTACHMENT

SIU SCHOOL OF LAW – Fall 2023

EMERGENCY PROCEDURES: We ask that you become familiar with **Emergency Preparedness @ SIU**. Emergency response information is available on posters in buildings on campus, on the Emergency Preparedness @ SIU website, and through text and email alerts. To register for alerts, visit <http://emergency.siu.edu/>.

DISABILITY POLICY. SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Disability Support Services coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval, please contact DSS immediately at 618-453-5738 or disabilityservices.siu.edu. You may request accommodations at any time, but timely requests help to ensure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty. Please send approved accommodations to your faculty through the DSS online portal.

SALUKI CARES. The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students, and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-2461, or siucares@siu.edu, <https://salukicare.siu.edu/>. Associate Dean Doug Lind (dlind@siu.edu, 618-453-8713) and Assistant Dean Judi Ray (judiray@siu.edu, 618-453-8135) are available at the School of Law to help students access university resources.

SAFETY AWARENESS FACTS AND EDUCATION Title IX makes it clear that violence and harassment based on sex and gender is a Civil Rights offense subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here: <http://safe.siu.edu>