

Introduction to Transactional Skills

Syllabus

Fall 2023

Law 539-3 Section § 001

Monday and Wednesday, 4:30-5:45 pm

Location: Room 204

Professor David Lourie

Office: Room 252

Office hours: Mondays and Wednesdays, 3:15-4:15; or by appointment

Email: david.lourie@siu.edu

Textbook

Stephen Sepinuck et al., Transactional Skills (West Academic) 3rd Edition.

Course Description and Student Learning Objectives

This course is an experiential course, designed to meet the requirements of the law school's experiential requirement (satisfactory completion of this course will provide 3 of 6 required experiential credits needed for law school graduation). In keeping with ABA Standard 304, the course will act as a "simulation course" which will integrate contract theory, skills, and legal ethics, with a focus on contract drafting skills. Students will hone skills in legal analysis and reasoning, written and oral communication, and ethical client counseling. As additional learning objectives, in accordance with ABA and SIU guidelines, students will be able to effectively employ strategies of active listening, empathy, and effective allyship during classroom discussions and group work.

Attendance Policy and Class Participation

Under the Rules of the School of Law, students may not accumulate absences in a course numbering in excess of twice the credit hours for the course during the semester. The Rules provide for three options if a student accumulates absences in excess of the allowable number. The professor may recommend that: (a) the student be given the lowest possible grade; (b) the student be given a "W"; or (c) the student be allowed to continue in the course with a grade reduction.

The course is designed to be inclusive of various learning styles. Class sessions will be a collaborative environment where we work together to analyze and solve problems. Consistent with our role in preparing students to be responsible, ethical lawyers-in-training, please treat the classroom, and everyone in it, with the respectful demeanor and discussion that you would display in a courtroom.

Citizenship

Citizenship has to do with attendance as well as how you treat others. I am a big fan of respect – and will do my best to show it to you. Respect builds a safe learning community, even if we disagree. Please show respect to your classmates.

Laptops

I permit the responsible use of computers in class. By this, I mean using your laptops to take notes. I expect you to listen, participate, remain engaged with the material, and avoid the distractions caused by misusing computers and electronic devices in a professional environment.

Recording of Classes

Classes may be recorded for ADA compliance purposes. No recordings should be used or disseminated without the professor's permission.

Exams, Grading, and Writing Assessments

You will be evaluated by the following criteria:

80% - In-Person, Closed-Book Final Examination

The final exam will be an in-person closed-book exam involving both (1) contract drafting and related memo writing to explain your choices and (2) multiple-choice questions covering core class concepts. The schedule and means of administration will be updated in the coming weeks.

20% - Completion of Writing Exercises, Class Participation, and Attendance

You are expected to attend every class and engage with the material. I will occasionally assign writing exercises where you will apply the material we learn. We will sometimes work through these exercises together in class.

Workload Expectation

The American Bar Association standards for accrediting law schools contain a formula for calculating the amount of work that constitutes one credit hour. According to ABA Standard 310(b)(1), a “credit hour” is an amount of work that reasonably approximates: (1) 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. This is a 3-credit hour class, meaning that we will spend two 75-

minute blocks of time together each week (scheduled for Monday and Wednesday). The amount of assigned reading and out-of-class preparation should take you about 6 hours for the week. All told, applying the ABA standard to the number of credits offered for this class, you should plan on spending a total of 9 hours per week (3 in class and 6 preparing for class) on course-related work.

Plagiarism

Plagiarizing another's work, in whole or in part, is a violation of the Honor Code and can lead to serious penalties, including expulsion. An Honor Code investigation must also be reported to the Bar Examiners, even if you are cleared of any violation. The Honor Code defines plagiarism as: passing off another's ideas, words, or work as one's own, including written, oral, multimedia, or other work, either word for word or in substance, unless the student author credits the original author and identifies the original author's work with quotation marks, footnotes, or other appropriate designations in such a way as to make clear the true author of the work.

Ban on Collaboration/AI in Writing Assignments

You are not allowed to obtain help from any other person (including any other student) or from generative artificial intelligence (including, but not limited to, ChatGPT) on the writing assignments in this course. This ban on collaboration includes obtaining written materials from any other person or generative artificial intelligence and communicating with any other person about the assignment. If you violate the ban on collaboration policy, you will fail to successfully complete the assignment and will not be entitled to take the final exam in the course. You also may be found in violation of the Honor Code, which can lead to serious penalties, including expulsion. An Honor Code investigation must also be reported to the Bar Examiners, even if you are cleared of any violation. When in doubt about how to proceed, ask me.

Ban on Collaboration/AI on Exams

The final exam for this course is closed book. You may NOT consult materials of any kind, with any person other than the proctor, nor access any other resource, including, but not limited to generative artificial intelligence. Failure to comply with this rule will result in a failing grade on the exam. You also may be found in violation of the Honor Code, which can lead to serious penalties, including expulsion. An Honor Code investigation must also be reported to the Bar Examiners, even if you are cleared of any violation.

Tentative List of Reading Assignments

Each week, I will confirm the following week's reading assignment at the end of Wednesday's class. To avoid assigning an excessive amount of reading, we will sometimes skip around a little bit. Please complete the assigned reading in advance of each class so

that you are prepared to participate in, and benefit from, the discussion in class. Please also make sure that you have access to the textbook for reference during each class session.

Tentative Class/Reading List

Except as otherwise noted, all references are to the Sepinuck textbook. Please complete the assigned reading in advance of each class so that you are prepared to participate in, and benefit from, the discussion in class. Please also make sure to have access to the textbook for reference during each class session. Feel free to skip over exercises contained in the assigned reading unless I specifically assign them. We will skip some exercises entirely and do others together in class.

I will sometimes assign “Bonus Materials” to read, which I will let you know about in class and on the TWEN course page.

I will confirm assignments and exercises in advance each week at the end of Wednesday’s class.

Week 1:

Monday, August 21: Sepinuck, pp. 5-13 (Introduction)

Wednesday, August 23: Sepinuck, pp. 15-22 (Components of an Agreement)

Week 2:

Monday, August 28: Sepinuck, pp. 22-33 (Components, cont.)

Wednesday, August 30: Sepinuck, pp. 33-47 (Components, cont.)

Week 3:

Monday, September 4: NO CLASS (Labor Day) – Note: This semester we will make up a class session that will be missed due to the observance of Labor Day. Our make-up class assignment will be distributed later this semester.

Wednesday, September 6: Sepinuck, pp. 49-59 (Forms)

Week 4:

Monday, September 11: Sepinuck pp. 59-67 (Forms, cont.)

Wednesday, September 13: Sepinuck, pp. 69-81 (Boilerplate)

Week 5:

Monday, September 18: Sepinuck, pp. 82-95 (Boilerplate, cont.)

Wednesday, September 20: Sepinuck, pp. 96-108 (Boilerplate, cont.)

Week 6

Monday, September 25: Sepinuck, pp. 109-120 (Boilerplate, cont.)

Wednesday, September 27: Sepinuck, pp. 121-139 (Boilerplate, cont.)

Week 7:

Monday, October 2: Sepinuck, pp. 140-156 (Boilerplate, cont.)

Wednesday, October 4: Class Review Session and Assigned Exercises

Week 8:

Monday, October 9: Sepinuck, pp. 157-168 (Drafting)

Wednesday, October 11: Sepinuck, pp. 168-178 (Drafting, cont.)

Week 9:

Monday, October 16: Sepinuck, pp. 179-191 (Drafting, cont.)

Wednesday, October 18: Sepinuck, pp. 194-210 (Drafting, cont.)

Week 10:

Monday, October 23: Sepinuck, pp. 211-222 (Drafting, cont.)

Wednesday, October 25: Drafting Review and Assigned Exercises

Week 11:

Monday, October 30: Sepinuck, pp. 223-234 (Precision)

Wednesday, November 1: Sepinuck pp. 235-245 (Deal Design)

Week 12:

Monday, November 6: Sepinuck, pp. 245-253 (Deal Design, cont.)

Wednesday, November 8: Sepinuck, pp. 253-261 (Deal Design, cont.)

Week 13:

Monday, November 13: Sepinuck, pp. 262-270 (Due Diligence)

Wednesday, November 15: Sepinuck, pp. 271-282 (Due Diligence, cont.)

Week 14:

THANKSGIVING BREAK, NO CLASS - Saturday, November 18 – Sunday, November 26

Week 15:

Monday, November 27: Assigned Drafting Exercises/Catch-Up

Wednesday, November 29: Final Exam Review Session

I will confirm assignments and exercises in advance each week at the end of Wednesday's class.

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 siucare@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>

Syllabus Attachment

Fall 2023

MISSION STATEMENT FOR SOUTHERN ILLINOIS UNIVERSITY CARBONDALE

SIU embraces a unique tradition of access and opportunity, inclusive excellence, innovation in research and creativity, and outstanding teaching focused on nurturing student success. As a nationally ranked public research university and regional economic catalyst, we create and exchange knowledge to shape future leaders, improve our communities, and transform lives.

IMPORTANT DATES:

Semester Classes Begin:08/21/2023

Last day to add full-term course (without Dean's signature):08/27/2023

Last day to withdraw from the University with a full refund:09/01/2023

Last day to drop a full-term course for a credit/refund:09/03/2023

Last day to drop a full-term course (W grade, no refund):10/29/2023

Final examinations:12/11–12/15/2023

Note: Please verify the above dates with the Registrar calendar and find more detailed information on deadlines at <http://registrar.siu.edu/calendars>. For add/drop dates that apply to shorter-than-full-term courses, please look at the Schedule of Classes search results at <http://registrar.siu.edu/schedclass/index.php>

FALL SEMESTER HOLIDAYS:

Labor Day 09/04/2023

Thanksgiving Break 11/18-11/26/2023

DIVERSITY: Southern Illinois University Carbondale's goal is to provide a welcoming campus where all of our students, faculty and staff can study and work in a respectful, positive environment free from racism and intimidation. For more information visit: <http://diversity.siu.edu>. Additional [informational flyer](#).

DISABILITY SUPPORT SERVICES: 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 <https://disabilityservices.siu.edu>. You may request accommodations at any time, but timely requests help to insure 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.

MILITARY COMMUNITY: There are complexities of being a member of the military community and also a student, and military and veteran related developments can complicate academic life. If you are a member of the military community and in need of accommodations please visit Veterans Services at <http://veterans.siu.edu/>.

STUDENT MULTICULTURAL RESOURCE CENTER: The Student Multicultural Resource Center serves as a catalyst for inclusion, diversity and innovation. As the Center continues its work, we are here to ensure that you think, grow and succeed. We encourage you to stop by the Center, located in the Student Services Building Room 140, to see the resources available and discover ways you can get involved on the campus. Visit us at <https://smrc.siu.edu/>.

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SIU COUNSELING AND PSYCHOLOGICAL SERVICES (CAPS): Mental health counseling services are available by calling [CAPS](#) at (618) 453-5371. CAPS offers confidential same-day services and ongoing counseling. For after hours crisis care, students are encouraged to call 988, 911, or present to their nearest emergency room.

WITHDRAWAL POLICY (Undergraduate Only): Students who officially register for a session must officially withdraw from that registration in a timely manner to avoid being charged as well as receiving a failing grade for those classes. An official withdrawal must be initiated by the student, or on behalf of the student through the academic unit, and be processed by the Registrar's office. For the proper procedures to follow when dropping courses and when withdrawing from SIUC visit: <http://registrar.siu.edu/students/withdrawal.php>.

SIUC'S EARLY WARNING INTERVENTION PROGRAM (EWIP): Students enrolled in courses participating in SIUC's Early Warning Intervention Program might be contacted by University staff during a semester. More information can be found at the University Core Curriculum's Overview webpage: <https://corecurriculum.siu.edu/for-faculty/>.

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CATALOGS:

catalog.siu.edu

gradcatalog.siu.edu - Graduate policies often vary from Undergraduate policies. To view the applicable policies for graduate students, please refer to the graduate catalog.

CENTER FOR LEARNING AND SUPPORT SERVICES:

Tutoring: <https://clss.siu.edu/>

Math Labs: <http://math.siu.edu/courses/course-help.php>

WRITING CENTER: <http://write.siu.edu/>

PLAGIARISM: See the Student Conduct Code: <http://srr.siu.edu/student-conduct-code/>

INCOMPLETE POLICY (Undergraduate Only): <http://registrar.siu.edu/grades/incomplete.php>

REPEAT POLICY: <http://registrar.siu.edu/students/repeatclasses.php>

MORRIS LIBRARY HOURS: <https://libcal.lib.siu.edu/hours/>

ADVISEMENT: <http://advisement.siu.edu/>

SIU ONLINE: <https://online.siu.edu/>

Need additional help with an issue? Visit **SALUKI SOLUTION FINDER** at <http://solutionfinder.siu.edu/>