

**SYLLABUS  
LAWYERING SKILLS II  
LEGAL WRITING SECTIONS 1 AND 3  
Sheila Simon  
Spring 2021**

**Professor:**

Sheila Simon, [ssimon@siu.edu](mailto:ssimon@siu.edu)  
Room 250  
618 967-2062 (cell)

**Teaching Assistants:**

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**Class Sessions:**

Room 206  
Tuesdays, with a few exceptions  
    Section 1 9:15-10:30  
    Section 3 11:00-12:15

**What you can expect to learn:** During this semester you will learn some of the foundational skills of the legal profession. These skills will be needed as soon as this summer, and for your career to come. Among other things, you will

- build on skills and knowledge developed in the fall to understand and use statutory and case law
- advocate for your client in person in negotiations and oral argument,
- write persuasive legal documents

**Required texts:**

Richard Neumann, Jr., Sheila Simon, and Suzianne Painter-Thorne, *Legal Writing* (4th ed., Wolters Kluwer 2015). ISBN 978-1-4548-3097-9

The Bluebook: A Uniform System of Citation (20<sup>th</sup> ed. 2015). ISBN 978-0-692-40019-7

**Class meetings:** We will generally meet at the scheduled time on Tuesdays and there will be other times we get together for conferences, negotiations, and oral arguments.

**Attendance:** Be here or Zoom in, but in whatever way you do it, plan to participate. I work to make sure each class session is valuable. You are allowed up to four absences for any reason, without penalty. For each absence over four, I will deduct 3 tenths of a point, out of the final grade on the 4.0 scale. No deadlines will be extended based solely on your absence from a class. This policy applies to all regularly scheduled class sessions listed in this syllabus, as well as other required activities scheduled during the semester.

**Office hours:** I am in my office a lot. (Nerd alert!) Stop by any time, no appointment is necessary. If it works better for you to make an appointment in advance, please do so. You can also email me or call me on my cell, 618 967-2062, or we can set up a Zoom meeting. There is no limit on the number of questions you can ask or how often you can stop by, email, or phone.

**Assignments:** You will write two documents on behalf of your client. The first will be either a motion or a response to that motion, the second will be an appellate brief. Each assignment will have a word limit that will be strictly enforced.

**Grades:** The number of points you can earn on each assignment is:

- |   |           |
|---|-----------|
| • research plan and working list of sources, due February 2 | 10 points |
| • trial motion or response, due February 19                 | 25 points |
| • detailed outline of appellate brief, due March 3          | 20 points |
| • appellate brief, due March 26                             | 35 points |
| • oral argument, week of April 12                           | 10 points |

Your total score will be ranked with Lawyering Skills sections 1 and 3, and your grade will be calculated after applying the required median and required grade distribution.

**Deadlines:** As lawyers we work with deadlines, whether they are imposed by the law, the court, our employers, or our clients. In this class our deadlines will be like court-imposed deadlines, set by someone with total authority (me!), and extended only with prior approval. So if you are just about to have a baby I might extend a deadline, and everyone else better plan to have papers in on time. I will critique papers submitted after a deadline, but the grade will be zero for that assignment.

**Plagiarism:** Your writing must be your own, and when you use ideas of others you must give credit to the others through appropriate citation. You can discuss your work with your classmates, but not with people outside your student colleagues. Here are some examples:

Yes, you can:

- do research with a classmate
- discuss your strategy with a classmate
- use someone else's ideas, with citations
- proofread until your eyes pop

No, you can't:

- do research with your grandma
- discuss your research with a stranger online
- use some else's ideas as if they were yours
- have anyone else proofread your paper

We'll talk about this more in class, and you can always ask questions. Don't let this trip you up.

**Recording class sessions:** Making sure everyone gets all they can out of class is challenging in this era. To maximize your opportunities, our classes will be recorded and posted on D2L.

**Workload expectations:** Even if you haven't thought about this, the American Bar Association has! The ABA's standard for accrediting law school has a formula for calculating the amount of work that is expected to go into one credit hour. According to the ABA, one credit hour is earned through "not less than one hour of classroom or direct faculty instruction per week and two hours of out-of-class student work per week for 15 weeks, or the equivalent amount of work over a different time." Our course is a two credit hour course, so the ABA is expecting you will spend an average of six hours on this class each week. This seems like a pretty smart plan.

**Yikes! Stress!** The University and the School of Law recognize that there are lots of potential stressors in your life. Here is some information on a campus-wide effort to be there to support you: 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](mailto:siucares@siu.edu), <http://salukicare.siu.edu/index.html>. At the School of Law, Assistant Dean Judi Ray is also available to help students access university resources. Her email is [judiray@siu.edu](mailto:judiray@siu.edu), and her phone number is 618-453-3135.

**Disabilities:** I want everyone in this class to succeed. If a disability is challenging you, here is some information about how to seek accommodations: 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](http://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. Upon completion of a Disability Accommodation Agreement with DSS, students should bring the agreements for each course to the School of Law Registrar's Office to ensure the School of Law provides the proper classroom and examination accommodations. Accommodation [request](#) and [renewal](#) forms can be found here: <https://law.siu.edu/academics/>.

**Tornado much?** 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/>.

**COVID-19:** As a condition of on-campus enrollment, all SIUC students are required to engage in safe behaviors to avoid the spread of COVID-19, including the requirement that all students wear a mask in campus buildings, including classrooms, laboratories, and studios when others are present, regardless of social distancing. Students are expected to follow physical or social distancing guidelines by keeping at least 6 feet from others, and practice good hand hygiene. Failure to comply with this policy may result in dismissal from the current class session. If the

student refuses to leave the classroom after being dismissed, the student may be referred to the Office of Student Rights and Responsibilities. SIUC will follow federal, state and county public health recommendations and mandates in all decisions relating to university operation. Students should regularly review the link for the [\*SIUC COVID-19 response\*](#).

**Course schedule:**

This is the anticipated schedule for the semester. Things could change, so be ready to roll with it.

**Week 1**

**Tuesday, January 19**

Introduction to persuasion –at last!

Read Neumann chapter 27

Bluebook pages 1-2

Extra reading just for fun and review, Neumann chapters 11 and 12

**Week 2**

**Tuesday, January 26**

Introduction to persuasive legal writing

Read Neumann chapters 28 and 32

Extra reading just for fun and review, Neumann chapters 17 and 18

**Week 3**

**Tuesday, February 2**

Negotiation preparation

Reading to be posted

Turn in outline of issues and source list by 4pm Tuesday, February 2

**Week 4**

**Tuesday, February 9 both sections meet at 9:00**

Negotiations with opposing side, Q & A on motion and response

**All week**

Individual conferences on drafts of motion/response

**Week 5**

**Tuesday, February 16**

Citing, quoting, and otherwise getting the final polish on your motion and response

Read Neumann 99-119 new ch 23

Skim Bluebook pages 3-28

**Friday, February 19**

Turn in motion or response by 4pm

**Week 6**

**Tuesday, February 23**

Fast forward to appellate court

Read Neumann chapters 34, 35, 36, 37

**Week 7**

**Tuesday, March 2**

Arguments in the appellate brief

Read Neumann chapters 19, 29, 30, 31, 32, 33, and 38

**Wednesday, March 3**

Detailed outline of the appellate brief due at 4pm

**Week 8**

Midterm week March 8-12 2021

**Week 9**

**Tuesday, March 16**

Summary of the argument, point headings, and Q & A on the brief

**All week**

Conferences on briefs

**Week 10**

**Tuesday, March 23**

Oral argument

Read Neumann chapter 39

Turn in brief by 4pm, Friday, March 26

**Week 11**

No writing classes this week – research class will be on both Tuesday and Thursday.

**Week 12**

**Monday, April 5 – Friday April 9**

Oral argument practice rounds

**Week 13**

**Monday, April 12 – Friday, April 16**

Oral arguments