



Association of Legal
Writing Directors

Course Creation: "Professional Identity Formation and the Roles of a Lawyer"

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2021 ALWD Teaching Grant Recipient

Attachments:

Professional Identity Sample Syllabus

Bibliography for Professionalism Class

SAMPLE SYLLABUS

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Advanced Legal Writing & Professional Identity

The class will meet twice a week. On Tuesdays we will meet at 6 – 7.45 p.m. via Zoom. We will also meet on Thursdays from 6-6.45 p.m. Class materials and all required readings that do not come from Cox & Ray, **Beyond the Basics: Advanced Legal Writing** will be posted on our class TWEN site. Please add yourself to that site. Readings and designated assignments for a particular week must be completed prior to class.

*Reading for Week 1: Guinier, Lani. **Becoming Gentlemen** and Alexander, **Learning to be Lawyers** posted on TWEN.*

Week 1. 2/9: Introduction to the course; discussion about professional identity. Reflecting on one's professional identity and relationship with the client. Do we have fixed ideas about what lawyers are like and how we as individuals fit those moulds?

Week 1. 2/11 What impressions have we gleaned from law school about how to be a lawyer? What kinds of relationships do we want to have with our clients? Are there lawyers we have met that we want to emulate? What characteristics do they have?

*Reading for Week 2: Cox & Ray Ch.3 **Interviewing your client & researching the law**; Title VII Practice Article; Battersby. **Narrativity, Self, and Self-Representation**, posted on TWEN.*

Week 2. 2/16: Interview our supervising attorney to ascertain the facts of the case. Discuss elements of Title VII complaint.

Week 2. 2/18 Discuss our responses to the client's case. Compare it to the partner's response. Do we assume a particular persona as a lawyer? If so, what is this based on?

*Reading for Week 3: Cox & Ray, Ch.1 **Understanding the Nature of Writing**; Ch. 11 **Pleadings (up to and including drafting the complaint)**. Research & find 3 relevant cases; & draft Complaint. Bring draft of Complaint & cases to class on 2/23.*

Week 3. 2/23: Review complaints with supervising attorney. Discuss how Complaint may be answered. (Answer to the Complaint will be provided). Structure, format, and etiquette for email memos to partner.
Client communication, opinion letters, ethical and professional considerations.

Week 3. 2/25 Discuss how we want to come across in letter to client. How confident was the supervising attorney in the case? How confident are we? Why is this case worth pursuing?

Note that Week 4 class will take place on 3/9 not 3/2, due to a mandated university break, so you have 2 weeks to complete the reading and assignments below.

Reading for Week 4: Cox & Ray Ch.14 General Correspondence; Article on Email memoranda posted on TWEN. Ch. 15 Opinion letters. Assignment due in Class 4: Email memo to partner summarizing the results of your research about the merits of the complaint. Also, draft an opinion letter to the client, updating her regarding the status of her case.

Week 4. 3/9: Review drafts of email memo & Opinion Letters in Class with your small group. Discuss discovery completed thus far and what you need to do next; come up with a plan.

Week 4. 3/11 What kind of lawyerly persona did you adopt in your letter to the client? What were your goals? How do you think the client will perceive this letter? Self evaluate your tone and the effectiveness and clarity of your communication.

Reading for Week 5/6: Cox & Ray Ch. 13 Interrogatories. Fitzpatrick & Queenan. Professional Identity Formation, Leadership and Exploration of Self. Assignment: Turn in a revised draft of Opinion letter by Class 5.

Week 5. 3/16: Discuss the types of discovery you would undertake and the kind of information that you hope to obtain from that discovery. Discuss strategies with Attorney [redacted].

Week 5. 3/18 Reflect on how this case is progressing and if your attitude towards the case has changed at all. How does one project a confident professional image to the client whether in written form or in person?

Reading for week 6: Ch. 10 Structuring Arguments; Review Depositions posted on TWEN. Assignment due: Bring draft of Interrogatories to class to exchange with a partner.

Week 6. 3/23: Review Interrogatories & discuss Depositions. Discuss next steps in litigation.

Week 6. 3/25: Many of you have taken a class on deposition skills. What did you learn about the persona adopted by lawyers during depositions. Did you adopt a particular persona during the depositions you took? Continue discussion of Fitzpatrick article.

Reading for Week 7: Cox & Ray Ch.8 Crafting Facts; Bliss, Divided Selves; Assignment due in Class 7: bring a draft of your facts to class to discuss your framing, persuasive techniques, and organization.

Week 7. 3/30: Articulating and applying the procedural standards for a Motion for Summary Judgment re our client's case; Persuasive strategies in Motions; Exchange drafts of facts.

Week 7. 4/1: Discuss Bliss, *Divided Selves: Professional Role Distancing among Law Students and New Lawyers in a Period of Market Crisis*.

Reading for Week 8: Cox & Ray Ch. 12 Drafting the documents for Motion Practice. Assignment due: Bring list of 6 relevant cases and brief notes about how you might use/rebut them to class.

Week 8. 4/6: Discuss and exchange cases. Themes and framing; Point Headings. Effectively combining Authorities and facts.

Week 8. 4/8: How did we represent the client and the facts in this case? Which factors informed our choices?

Reading for Week 9: Article on persuasive techniques posted on TWEN. Longan et al; Law School and Professional Identity Formation. Assignment due in Class 9: Bring a draft of your point headings to class.

Week 9. 4/13: Addressing counterarguments, anticipating and responding to adverse case law and weaknesses in your case. Exchange point headings. Discuss legal standards for Motion.

Week 9. 4/15: Discuss Longan et al; *Law School and Professional Identity Formation*.

Reading for Week 10: Cox & Ray Ch. 9 Large and small scale organization. Robinson, Lawyers, Implicit Bias and Burnout: 5 Steps to Self-Discovery.

Assignment for Class 10: Bring a draft of your motion and supporting argument to class.

Week 10. 4/20: Evaluating your Motion and supporting argument. Keeping relevant parties informed of the status of the case.

Week 10. 4/22 Robinson, *Lawyers, Implicit Bias and Burnout: 5 Steps to Self-Discovery*.

Reading for Week 11: Cox & Ray, Ch.14 General Correspondence. Lupu, Role Distancing and the Persistence of Long Work Hours in Professional Service Firms. Assignment for week 11: Draft a status report email for the client and the partner. Bring to class.

Week 11. 4/27: Exchange copies of emails. Discuss editing your motions.

Week 11. 4/29: Lupu, *Role Distancing and the Persistence of Long Work Hours in Professional Service Firms*

Reading for Week 12: Article posted on TWEN on opinion writing. Assignment for Week 12: Revise your Motion. Review Motion in Opposition.

Week 12. 5/4: Discuss drafting an opinion.

Week 12. 5 /6 Review class- what would you have done differently in this case? Do you feel differently about yourself as a professional? What else do you wish we had covered?

Assignment for Week 13: Revise your Motion & Draft an Opinion for extra credit. Reading: Bliss. The Professional Identity Formation of Lawyers: How Does Becoming a Lawyer Change You?

Week 13. 5/11: Bring draft of Opinion to class to exchange.
Revised SJ Motion and Court's Opinion Due 5/15 by email.

Week 13. 5/13:
I will meet with you individually to make up the classes we missed due to the University break

Bibliography for Professionalism Class

ABA Proposed Changes to Standard 303

Alexander, Charlotte. *Learning to be Lawyers*

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Fitzpatrick, Mary and Rosemary Queenan. *Professional Identity Formation, Leadership and Exploration of Self*.

Guinier, Lani. *Becoming Gentlemen*.

Katz, Martin. *Teaching Professional Identity in Law School*.

Longan et al; *Law School and Professional Identity Formation*.

Lupu et al; *Role Distancing and the Persistence of Long Work Hours in Professional Service Firms*.

Matthews, Steve & Janette Kennet, *Truth, Lies and the Narrative Self* American Philosophical Quarterly Volume 49, Number 4, October 2012.

Ray, Mary Barnard. *Advanced Legal Writing*.

Robinson, Gray. *Lawyers, Implicit Bias and Burnout: 5 Steps to Self-Discovery*.